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SCHEDULES.

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(Ireland.)

A

BILL

TO

Amend and consolidate the Acts relating to the Dublin Metropolitan Police Force.

WHEREAS it is expedient to amend the Laws relating to the Dublin Police, and to the Administration of Justice within the Police District of Dublin Metropolis, and to consolidate the Statutes and Parts of Statutes relating thereto: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Preamble.

I. In the Interpretation of this Act, save when there is anything in the Subject or Context repugnant to such Construction, the following Words and Expressions shall have the several Meanings hereby assigned to them: The Words "Lord Lieutenant" shall mean the Lord Lieutenant or other Chief Governor or Governors of Ireland for the Time being; "Chief or Under Secretary" shall mean the Chief or Under Secretary of the Lord Lieutenant; "Commissioner" shall include "Assistant Commissioner;" "Justice" shall mean "Divisional Justice"; "summary Jurisdiction" shall be deemed to mean Interpretation Clause.

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mean any Case as to which a summary Conviction or Order may be made by any Divisional Justice; and "summary Proceedings" shall mean any Proceedings in respect to such Case; the Word "Complaint" shall include "Information," and "Complainant" shall include "Informant" or "Prosecutor;" the Word "Order" shall include "Conviction;" the Word "Gaol" and "Common Gaol" shall include any "Gaol," "House of Correction," or "Bridewell" within the Metropolitan Police District; the Word "Road" shall include "Highway" or other public Thoroughfare, and "Street" shall include any Lane or Passage in any City or Town; and the Word "Horse" shall include any other Animal of any Kind commonly used or employed in drawing any Kind of Carriage; "Treasury" shall mean the Lord High Treasurer or Commissioners of the Treasury for the Time being; "Goods" shall include Chattels.

Short Title of Act.

II. This Act may be cited for all Purposes as "The Dublin Police Act, 1856."

Commencement of Act.

III. This Act shall commence and take effect on the *Day of* *in the Year of our Lord One thousand eight hundred and fifty-six.*

Certain Acts and Parts of Acts repealed.

IV. From and after the *Commencement of this Act*, the several Acts and Parts of Acts set forth in the Schedule (A.) to this Act annexed, to the Extent to which such Acts or Parts of Acts are by such Schedule expressed to be repealed, and every other Act and such Parts of every other Act as shall be inconsistent with this Act, shall be and they are hereby repealed; provided, that such Repeal shall not affect anything duly done, any Appointment duly made, any Security duly given, or any Liability accruing, before the Commencement of this Act, or any Penalty, Forfeiture, or other Punishment incurred or to be incurred in respect of any Offence committed before the Commencement of this Act, or the Institution or prosecuting of any Investigation or Proceeding in relation to any such Liability or Offence.

Police District

Police District defined. 1 Vict c. 25. s. 1

V. From and after the *passing of this Act* Her Majesty's Castle of Dublin, and all Places situated and contained within the Limits or Boundary specified and described in Schedule (B.) to this Act annexed, shall continue to be and be called "The Metropolitan Police District;" and all Parts of the County of Dublin not comprised within the said District, as the same is by this Act limited and defined, shall be deemed to be the County of Dublin for the Purpose of and within the Intent and Meaning of the Act of the Sixth and Seventh Years of the Reign of King William the Fourth, Chapter Thirteen.

6 & 7 W. 4. c. 13.

VI. And

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Police District.

Lord Lieutenant may direct Parishes within certain Limits to be added to District. 1 Vict. c. 25. s. 2. 2 & 3 Vict. c. 78. s. 14.

VI. And whereas it may hereafter become expedient that the Provisions of this Act should be extended to other Places in addition to the Places comprised within the Limits or Boundary described in Schedule (B.): Be it therefore enacted, That it shall be lawful for the Lord Lieutenant to order that any Parish or Place in the County of Dublin shall, after a certain Day to be named in such Order, be added to and form Part of the said Police District, and thereupon and by force of such Order such Parish or Place shall become to all Intents and Purposes Part of such Police District, as if the same had been originally included therein by this Act.

Police District may be divided. 1 Vict. c. 25. s. 13.

VII. And whereas the said Police District of Dublin Metropolis now consists of Three Divisions, in each of which One or more Police Courts are established, with Divisional Justices to attend therein: And whereas it may be expedient to reduce the Number of Divisions, Police Courts, and Divisional Justices for the said Police District: Be it therefore enacted, That it shall be lawful for the Lord Lieutenant, if he shall so think fit, to re-divide the said Police District of Dublin Metropolis, and reduce the Number of Divisions, and to define and declare the Limits thereof accordingly, and to establish Metropolitan Police Courts therein, and from Time to Time, as such Lord Lieutenant shall think proper, to alter the Number of such Divisions or the Limits thereof, or to discontinue or alter the Situation of any of the said Police Courts, or to increase or diminish the Number of Justices attached thereto respectively.

Appointments, Salaries, and Pensions.

Commissioners, &c. already appointed to retain Offices.

VIII. Every Person now holding any of the following Offices in the Police Force, that is to say, Commissioner, Divisional Justice, Receiver, Secretary, Chief and other Clerks attached to the Metropolitan Police Department, Divisional and other Police Courts, shall continue to hold his Office under this Act, as he has heretofore held the same, unless superseded under this Act.

Appointment of Clerks and Officers in Police Offices vested in Lord Lieutenant.

IX. From the *passing of this Act* the Appointment of all Clerks and Officers in the Police Department and in the Police Courts shall be vested in the Lord Lieutenant.

No Office to prevent Holder from receiving Half Pay. 1 Vict. c. 25. s. 19.

X. No Office or Employment under this Act shall prevent the Holder thereof from receiving any Half Pay to which, if he did not hold such Office or Employment, be might he or become entitled under any Act passed or hereafter to be passed, unless it shall be specially mentioned and provided in such Act that Persons holding such Appointments shall not receive Half Pay.

Act not to affect Salaries, Peri-

XI. Nothing in this Act contained shall affect the regular and usual Payment of any Salary, Superannuation Allowance, Pension, or other

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Appointments, Salaries, and Pensions.

sions, &c. charged on Police Funds.

48 G. 3. c. 140. s. 17. 6 & 7 W. 4. c. 29. s. 12. 1 Vict. c. 25. s. 17. 1 & 2 Vict. c. 63. ss. 1 & 2. 10 & 11 Vict. c. 100. s. 10.

other Money heretofore charged upon and payable out of the Funds of the said Police Establishment, in pursuance of any Act of Parliament, or by virtue of any Warrant, Direction, Grant, or Allowance of the Lord Lieutenant or the Treasury; but all such Salaries, Pensions, Superannuation Allowances, or other Money shall be paid in the same Manner and at the same Time that such Salaries, Superannuation Allowances, Pensions, or other Money have been paid before the Commencement of this Act; and provided also, that nothing in this Act contained shall affect the Act of the Tenth and Eleventh Years of the Reign of Her present Majesty, Chapter One Hundred, or the Power of the Treasury, upon the Terms and subject to the Conditions in the said Act contained, to grant any Pension, Superannuation Allowance, or Gratuity to any Person holding an Appointment in the Dublin Metropolitan Police, whether such Appointment shall have been made under any Act heretofore passed, or under this Act.

Compensation Clause. Dublin Rates Act, 12 & 13 Vict. c. 91. s. 57.

XII. It shall be lawful for the Lord Lieutenant, with the Consent of the Treasury, to grant to any Commissioner of Police, Divisional Justice, Clerk, or other Person belonging to any of the Offices of the Police Department of the District of Dublin Metropolis, whose Office shall be abolished, cease, or become unnecessary under this Act, and who shall at the Time of such Office being so abolished, ceasing, or becoming unnecessary be qualified to receive a Retiring Allowance, if such Person were then removed from such Office, under the Provi-

10 & 11 Vict. c. 100.

sions of the said Act of the Tenth and Eleventh Years of the Reign of Her present Majesty, Chapter One hundred, such an adequate Compensation in manner prescribed by the said Act as he shall deem just: Provided always, that in case any Person whose Office shall be so abolished, cease, or become unnecessary shall have contributed, under the Provisions of the said last-recited Act, for a Time short of the Period required to qualify such Person to receive a Retiring Allowance, it shall be lawful to grant to such Person such a Proportion of the Salary of which he shall be in receipt at the Period of his Removal from Office as in the Judgment of the Lord Lieutenant, subject to the Approbation of the Treasury, shall meet the Justice of the Case; and in calculating the Period for which any Person shall have served, it shall be lawful to reckon the Time during which such Person may have been employed under any of the Acts hereby repealed, or in any Office concerned in the Execution thereof.

1 & 2 Vict c. 63. s. 2. Dublin Police Act.

Allowances to be suspended or diminished on Appointment, with equal or less Salary.

XIII. Provided always, That the Payment of any such last-mentioned Compensation or Allowance shall altogether cease and be suspended while the Person to whom such Compensation or Allowance shall be granted shall hold any Office in any Public Department, the Salary or Profits whereof shall be equal to or shall exceed the said Compensation

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Compensation or Allowance; and in case the Salary or Profits of the Office to which such Person may be appointed shall be less than the said Compensation or Allowance, then no more of such Compensation or Allowance shall be paid to him than so much as, together with the Salary and Profits of such new Office, shall be equal to the Amount of the Salary enjoyed by such Person at the Time of his Removal from Office as aforesaid.

Appointments, Salaries, and Pensions.
1 Vict. c. 25. s. 15.

XIV. No Commissioner, Divisonal Justice, or Receiver shall, so long as he shall hold such Office, be capable of being elected or of sitting as a Member of the House of Commons; and no Commissioner, Justice, Receiver, or Person belonging to the said Police Force shall, during the Time that he shall continue in such Office or Force, or within *Six* Calendar Months after he shall have quitted the same, be capable of giving his Vote for the Election of a Member to serve in Parliament for the Counties of Dublin, Wicklow, Kildare, or Meath, or for the County of the City of Dublin, or for any Borough within the said Counties, nor shall in any Manner endeavour to persuade any Elector to give or dissuade any Elector from giving his Vote for any Person to be a Member to serve in Parliament for any such County, City, or Borough; and if any such Commissioner, Justice, Receiver, or Person shall offend herein he shall forfeit *One hundred Pounds*, to be recovered by any Person who will sue for the same within *Six* Calendar Months after the Commission of the Offence; and *one Moiety* of the Sum so recovered shall be paid to the informer, and the *other Moiety* thereof to the Receiver as Part of the Funds for the Purposes of this Act: Provided always, that nothing in this Enactment contained shall subject any such Commissioner, Justice, Receiver, or Person to any Penalty for any Act done by him at or concerning any of the said Elections in the Discharge of his official Duty.

No Commissioner, Justice, &c. to sit in Parliament, 6 & 7 W. 4. c. 29. s. 19; or vote at certain Elections.
Penalty, 100*l.*
Proviso.

XV. No Person using or exercising the Trade of a Brewer or Distiller, or Dealer in Wine by Retail to licensed Public Houses, or being a Partner of such; no Person who shall have a Licence to sell Malt Liquors or Spirituous Liquors, or who shall in any Manner be engaged as a Seller thereof; and no Victualler or Person keeping a Public House, shall be capable of holding any Office in the said Police.

No Brewer, &c. to hold any Office. 6 & 7 W. 4. c. 23.

XVI. If any Person holding any Office of any Description whatsoever under "The Dublin Carriage Act, 1853," or this Act, shall be declared bankrupt, or shall apply to take the Benefit of any Act for the Relief of Insolvent Debtors, then and in every such Case such Person shall thereupon immediately become disqualified, and shall cease to hold such Office.

Persons holding Office, if bankrupt or insolvent, disqualified. 3 & 4 W. 4. c. 108. s. 88.

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Commissioners, &c.

Removal, Appointment, and Qualification of Commissioners.

XVII. It shall be lawful for the Lord Lieutenant, if he shall think fit, to remove the Commissioners holding Office at *the Commencement of this Act*, or either of them, and upon any Vacancy in the Office of Commissioner by Death, Removal, or otherwise, and, subject to the Provision herein-after contained, to appoint another fit Person Commissioner or Assistant Commissioner in lieu of the Person making such Vacancy, and such Person during the Continuance of his Appointment, shall execute the Duties of Commissioner under this Act, although he may not have any such Qualification by Estate as is required by Law in the Case of a Justice of the Peace for a County: Provided always, that no such Commissioner shall act as a Justice of the Peace at any Court of General or Quarter Sessions, nor in any Matter out of Sessions, except for the Preservation of the Peace, the Prevention of Crimes, the Detection and Committal of Offenders, and in carrying this Act into execution.

Proviso.

Salary of Commissioners. 6 & 7 W. 4. c. 29. s. 3.

XVIII. It shall be lawful for the Lord Lieutenant to direct that an annual Salary, not exceeding the Sum of *One thousand Pounds*, shall be paid out of such Funds as Parliament shall provide, to each of the Commissioners now holding Office or hereafter to be appointed, and that the same shall be payable quarterly.

Future Commissioners to be Chief and Assistant Commissioner.

XIX. Provided always, That upon any Vacancy occurring in the Office of either of the Commissioners now holding Office, the Commissioner to be appointed to such vacant Office shall be an Assistant Commissioner to the remaining Commissioner, who shall thereupon become Chief Commissioner, and thenceforth the Commissioners under this Act shall be respectively Chief Commissioner and Assistant Commissioner, as the Lord Lieutenant shall in that Behalf appoint, and the Salary of the Assistant Commissioner shall not exceed *Eight hundred Pounds*, anything herein-before contained to the contrary notwithstanding.

One Commissioner may act in certain Cases.

XX. Any Act or Thing herein or by any other Act authorized to be done by the Commissioners may be done by either of the Commissioners now holding Office, and after the Commissioners shall have become Chief and Assistant Commissioner as herein provided may be done by the Chief Commissioner alone, or in his Absence by the Assistant Commissioner alone, provided that to establish the Validity of any Act or Thing done by the Assistant Commissioner it shall not be necessary to prove the Absence of the Chief Commissioner.

Oath to be taken by Commissioners.

XXI. Every Commissioner to be appointed under this Act shall, before he shall begin to execute the Duties of his Office, take the following

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following Oath before some Justice or Baron of One of Her Majesty's Courts of Record at Dublin ; (that is to say,) *Commissioners, &c.* 6 & 7 W. 4. c. 29. s. 2.

'I A.B. do swear, That I will faithfully, impartially, and honestly, according to the best of my Skill and Knowledge, execute all the Powers and Duties of a Commissioner under and by virtue of "The Dublin Police Act, 1856."'

XXII. From *the passing of this Act* the Commissioners and their Successors in the said Office shall take before any Two Magistrates the Oaths by Law required to be taken by Justices of the Peace in Ireland, and shall thereupon become, without further Qualification or Appointment, and continue so long as they shall respectively hold the said Office, but no longer, Justices of the Peace for every County, County of a City, County of a Town, and Town and Liberties in Ireland; and in the Investigation and determining of any Charge or other Matter which shall come before them relating to the said Police Force, or which the Chief or Under Secretary may direct the Commissioners to investigate, it shall be lawful for the Commissioners to examine upon Oath all Parties and Witnesses. Commissioners shall be Justices for every County, &c. in Ireland. 6 W. 4. c. 13. s. 5.

XXIII. The Commissioners may from Time to Time, subject to the Approbation of the Chief or Under Secretary, frame such Regulations as they shall deem expedient, relative to the general Government of the Police Force under this Act, the Places of the Residence, the Classification, Rank, and particular Service of the several Members, their Distribution and Inspection, the Description of Arms, Accoutrements, and other Necessaries to be furnished to them, and which of them shall be provided with Horses for the Performance of their Duty, and all such other Regulations relative to the said Police Force as the Commissioners shall from Time to Time deem expedient for preventing Neglect or Abuse, and for rendering such Force efficient in the Discharge of all its Duties; and the Commissioners may at any Time suspend or dismiss any Man belonging to the said Police Force whom they shall think remiss or negligent in the Discharge of his Duty, or otherwise unfit for the same; and when any Man shall cease to belong to the said Police Force, all Powers vested in him by virtue of this Act shall immediately determine. Commissioners may make Regulations for the Management of Police Force. 6 & 7 W. 4. s. 5. Constables may be suspended or dismissed by Commissioners.

XXIV. It shall be lawful for the Commissioners in all Cases of actual Tumult, Riot, or Felony in any Part of the said Police District, or upon reasonable Apprehension of any such Tumult, Riot, or Felony grounded upon Information on Oath, and if the Exigency of the Occasion shall in the Judgment of the Commissioners so require, to appoint any Number of Persons to be Special Constables, to act as Commissioners empowered to swear in Special Constables. 5 G. 4. c. 102. s. 14.

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Commissioners, &c.

Constables within the said District, for a certain Time to be limited by the Commissioners, without Fee or Reward, and to administer to such Persons so appointed the usual Oath administered to ordinary Constables of the said District.

Powers of Special Constables, who are to act without Emolument.

XXV. Such Special Constables when so appointed and sworn in shall, during the Time so to be limited, have all the same Powers, Privileges, Protections, and shall be subject to all the same Commands and Regulations, as ordinary Constables duly appointed for the said District: Provided always, that no such Special Constable shall be so appointed or sworn in unless he shall consent to act as Constable without any Emolument or Reward whatsoever: Provided also, that it shall be lawful for the Commissioners, before the Expiration of the Term during which such Constables shall have been authorized to act, to annul the Appointments made of such Constables either in the whole or in part, or to remove such Constables or any of them from the Office and Authority of Constable; and thereupon all the Powers and Privileges of such Special Constables shall cease and determine accordingly.

Commissioners may annul the Appointment of such Special Constables.

Commissioners to post up Descriptions of Felons, Receivers of stolen Goods, &c., and circulate same free of Postage. 48 G. 3. s. 44.

XXVI. The Commissioners shall cause Notices containing Descriptions of Felons or Persons accessary to Felony, or Receivers of stolen Goods, and also Descriptions of Goods and Chattels stolen or feloniously taken and carried away, harboured, or concealed within the said District or elsewhere in Ireland, and all such other Circumstances relative thereto as they may think necessary, to be fixed up in such Parts of the said Police District of Dublin as shall be deemed by them most proper; and also shall cause Copies of the same to be circulated through such Parts of Ireland as they shall think proper; and the Postmaster General, or his Deputy, or other Person employed by him shall, so often as he shall be thereunto required by the Commissioners, cause such printed Notices to be despatched from the Post Office to the principal Police Officers of the said Towns, to whom the same shall be directed, to be by them fixed up where they may be seen and read in the most frequented Parts of such Places, which Notices shall not be charged with any Duty for Stamps or Postage.

Commissioners to sign all Licences. 48 G. 3. c. 140. s. 62.

XXVII. The Commissioners or their Officer authorized in that Behalf shall have and enjoy the same Power and Authority to grant, issue, and sign Licences and Certificates in every Case whatsoever as fully as the Divisional Justices of the Castle Division of the said District heretofore had under certain Acts of Parliament passed in the following Years of the Reign of His Majesty King George the Third, that is to say, in the Thirty-fifth Year, Chapter Thirty-six; in the Thirty-sixth Year, Chapter Thirty; in the Thirty-ninth Year, Chapter

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Chapter Fifty-six; in the Fortieth Year, Chapter Sixty-two; in the Forty-fourth Year, Chapter Twenty-two (Local); in the Forty-eighth Year, Chapter One hundred and forty; and in the Sixth and Seventh Years of the Reign of His late Majesty King William the Fourth, Chapter Twenty-nine, or any of them, or under any other Law or Authority whatsoever now in force; and such Certificates and Licences shall respectively be subject to all such Fines, Duties, Taxes, and Payments as Certificates and Licences for the like Purposes are now subject to; and all the said Fines, Duties, Taxes, and Payments shall be paid and payable from and after the *passing of this Act* in British Currency, anything in any Act of Parliament contained to the contrary notwithstanding, and shall be applied to the Purposes of this Act; and the said Commissioners shall insert in such Certificates and Licences the Place of Abode and particular Description of every Person to whom such Certificates and Licences shall be granted, and shall number each Certificate and Licence, and keep or cause to be kept particular Entries of such Descriptions, Certificates, and Licences.

Commissioners, &c

Licences.

XXVIII. No Person shall hawk about Trees, Shrubs, or Plants for Sale within the said District, or sell or expose to Sale at any Place within the same, not being a Part of his Dwelling House, any Book, Map, Pamphlet, Chart, or Drawing, or sell or expose to Sale within the said District old Clothes in any Stall, Stand, Shed, Booth, Shop, or other Place, or exercise the Trade of a Pawnbroker within the said Police District, unless he shall have a Licence for that Purpose under the Provisions of this Act.

No Person to hawk about Trees, Books, &c. without Licence. 48 G. 3. c. 140. s. 65.

XXIX. If any Person shall exercise the Trade of a Pawnbroker within the said Police District without such Licence as aforesaid, every such Person upon being convicted thereof shall forfeit the Sum of *Fifty Pounds*.

Penalty on Pawnbroker trading without Licence. 48 G. 3. c. 140. s. 69.

XXX. If any Person shall hawk, sell, or expose to Sale within the Limits aforesaid respectively any of the Goods for which he is required to take out a Licence as aforesaid, and for which he shall not have his Licence as aforesaid ready to produce, or shall not upon Demand of any Justice or of any Constable produce such Licence, it shall be lawful for such Justice or Constable to seize and distrain such Goods, and every such Person shall for every such Offence forfeit a Sum not exceeding *Five Pounds*.

Penalties on Persons requiring such Licence, and not having or producing same. 48 G. 3. c. 140. s. 68.

XXXI. Every Person, before he shall hawk, sell, or expose to Sale any of the Goods herein before mentioned within the said Limits, shall deliver to the Commissioners a Note in Writing of what Goods he intends

Person requiring Licence to give in his Name, &c. 48 G. 3. c. 140. s. 66.

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Licences.

intends to bawk, sell, or expose to Sale; and before any Person shall exercise the Business of a Pawnbroker within the said Limits, he shall deliver to the Commissioners a Note in Writing of his Place of Abode, and of the Place where he intends to carry on the Business of a Pawnbroker; and thereupon a Licence shall be granted by the Commissioners unto him for his hawking, selling, or exposing to Sale such Goods, or for exercising the Business of a Pawnbroker (as the Case may be), for which he shall previous to the issuing thereof pay or cause to be paid to the proper Officer the respective Duties made payable in and by the Act of the Forty-fourth Year of the Reign of His late Majesty King George the Third, Chapter Twenty-two (Local and Personal), or any other Act, or which shall hereafter be payable for the same, and which shall be applicable to the Purposes of this Act; which Licences shall be in force until the next after the same shall be granted.

Penalty on forging Licences. 48 G. 3 c. 140. s. 75.

XXXII. If any Person shall forge or cause or procure to be forged any Licence of the Commissioners, or shall sell or expose to Sale any Goods before mentioned with any such forged Licence, knowing the same to be forged, every such Person on being convicted thereof shall forfeit a Sum not exceeding *Fifty Pounds*; and for Want of sufficient Goods to satisfy the said Penalty such Offender shall be committed to the Common Gaol, for any Time not exceeding *Six* Months, at the Discretion of the Justice before whom such Offender shall be so convicted.

Penalty on Vintners not producing Licence on Demand. 48 G. 3. c. 140. s. 72.

XXXIII. It shall be lawful for the Commissioners, Divisional Justices, or any Superintendent, Inspector, or Sergeant belonging to the Police Force, at any Time to demand from any Person selling Wine, Ale, Porter, or Spirituous Liquors his Licence, and every such Person shall upon such Demand produce his Licence, and if he shall not produce the same he shall on Conviction thereof forfeit a Sum not exceeding *Five Pounds*, and in default of paying such Fine shall be committed to the Common Gaol for any Time not exceeding *One Month*, at the Discretion of the Justice before whom such Conviction shall take place.

Receiver.

Treasury may appoint Receiver of Monies applicable to Purposes of Act, who shall give Security. 6 & 7 W. 4. c. 29. s. 10.

XXXIV. It shall be lawful for the Treasury, upon any Vacancy in the Office of Receiver to the said Police Force by Death, Removal, or otherwise, to appoint another Person to be such Receiver, and to revoke any such Appointment or remove any such Receiver if the Treasury shall see Occasion so to do; and it shall be lawful for the Treasury to allow to the Receiver now holding Office or hereafter to be appointed such yearly Salary, payable quarterly out of the Funds to be by him received, as they may think proper, not exceeding *Five hundred*

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hundred Pounds; and the Receiver for the Time being shall give Security to Her Majesty, in a Bond with Two Sureties, in such Sum as the Treasury shall direct, such Bond to be conditioned for the faithful Performance of his Duty by such Receiver, and for the due Application of all Monies paid to him under this Act; and in case of the Sickness or necessary Absence of such Receiver, it shall be lawful for the Receiver, with the Approbation of the Treasury, to appoint some other Person to act in his Place.

Receiver.

In case of Sickness, &c. Receiver may appoint a Deputy. *See* Dublin Rates Act, 12 & 13 Vict. c. 91. s. 2.

XXXV. The Receiver shall receive all Sums of Money applicable to the Purposes of this Act, and shall keep an exact Account thereof, and shall immediately pay all Monies, Bills, and Notes by him received under this Act into the Hands of the Governor and Company of the Bank of Ireland; and the same shall be placed to an Account in the Books of the said Governor and Company, which shall be intituled "The Account of the Public Monies of the Receiver for the Metro- "politan Police District," inserting the Name of the Receiver for the Time being; and the said Receiver shall draw out of the Bank from Time to Time such Sums of Money as may be necessary for the Payment of all Charges and Expenses in carrying this Act into execution; and the said Receiver shall be governed in respect of his pecuniary Transactions, whether of Receipt or Payment, and in respect of the Periods in and for which he shall deliver his Accounts, accompanied by the proper Vouchers, and as to the Manner in which such Accounts shall be kept, and prepared and exhibited for Audit, by such Rules and Regulations as shall be issued in that respect from Time to Time by the Treasury; and every Draft or Order for Money on the Bank of Ireland drawn by the Receiver shall be countersigned by One of the Commissioners, and all Drafts and Orders so drawn and countersigned, but not otherwise, shall be a sufficient Authority to the Bank to pay the same.

Duties of Receiver, Accounts, &c.

Money to be placed in Bank of Ireland, and drawn out by Receiver.

Receiver's Drafts to be countersigned.

XXXVI. All Duties to be levied under this Act shall be paid to the Receiver by the Persons who shall be duly appointed to receive the same, at such Times in every Year as shall be fixed and appointed by the Commissioners, and shall be by him placed to the same Account and applied to the like Purposes as the other Public Monies of the said Police District; and the Receiver shall keep separate and distinct Accounts of the Duties applicable to the Purposes of this Act.

Duties levied under Act to be paid to Receiver. 48 G. 3. c. 140. ss. 28. 29. 62. 6 & 7 W. 4. c. 29. s. 30.

XXXVII. The Receiver shall account for the due Application of all Monies drawn by him out of the Bank of Ireland, and shall once in every *Six* Months, and oftener if required by the Commissioners of the Treasury, or by the Chief or Under Secretary, make out and sign a full and particular Account of all Monies which shall have been

Receiver's Accounts to be audited. 6 & 7 W. 4. c. 29. s. 11.

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Receiver.

received by him under this Act, and how much thereof hath been paid by him, and for what Purposes, together with proper Vouchers for the Receipts and Payments; and such Account shall be delivered, for the Purpose of being examined and audited, either to the Commissioners for auditing the Public Accounts, or to such other Person or Persons as the Treasury shall from Time to Time direct; and the Receiver shall be subject to the same Regulations and Penalties in that respect as any Public Accountant.

Accounts to be laid before Parliament annually. 6 & 7 W. 4. c. 29. s. 33.

XXXVIII. An Account of all Monies received and expended for the Purposes of this Act, made up to the *Thirty-first Day of December* in each Year, shall annually be laid before both Houses of Parliament within *Thirty* Days thereafter if Parliament be then sitting, or within *Thirty* Days after the First Meeting of Parliament subsequent to the *Thirty-first of December*; and such Accounts shall specify the total Sum received for every Tax, Rate, Rent, Duty, or other Charge for the Purposes of this Act; and such Accounts shall also specify the different Heads of Expenditure for the Purposes of the Police, and the Amount actually expended under each.

Receiver to pay Salaries and Wages of Police under Direction of Chief or Under Secretary. 6 & 7 W. 4. c. 29. s. 12.; as also Rewards for Activity and Superannuation Allowances.

XXXIX. The Receiver, out of the Monies so received by him, shall from Time to Time pay to the Persons belonging to the Police Force appointed under this Act such Salaries, Wages, and Allowances, and at such Periods, as the said Chief or Under Secretary shall direct, and also any extraordinary Expenses which they shall appear to have necessarily incurred in apprehending Offenders and executing the Orders of the Commissioners, such Expenses being first examined and approved of by the Commissioners; and the Receiver shall likewise pay any further Sums which such Chief or Under Secretary, with the Sanction of the Treasury, shall direct to be paid to any of the Persons belonging to the said Police Force, as a Reward for extraordinary Diligence or Exertion, or as a Compensation for Wounds or severe Injuries received in the Performance of their Duty, or as an Allowance to such of them as shall be disabled by bodily Injury received, or shall be worn out by Length of Service, and he shall also pay all other Salaries, Charges, and Expenses which such Chief or Under Secretary shall direct to be paid for carrying this Act into execution.

Receiver shall contract for any Land or Buildings required. 6 & 7 W. 4. c. 29. s. 16.

XL. The Receiver shall, under the Direction of the Chief or Under Secretary, make all such Contracts and Disbursements as shall be necessary for purchasing or renting any Land or Buildings, or for erecting, fitting up, furnishing, or repairing any Buildings for the Purposes of this Act, subject nevertheless to such Regulations as the Treasury shall from Time to Time think fit to establish; and all Lands

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Lands and Buildings so to be purchased or rented, and the Fixtures and Furniture thereof, and all Buildings, Station Houses, Arms, Accoutrements, Goods, and Chattels held or purchased for the Purposes of this Act shall be vested in the Receiver for the Time being, and his Successors in Office; and the Receiver may, by the Directions of such Chief or Under Secretary, sell, assign, or dispose of the whole or any Part of any such Property as aforesaid, and shall execute all such lawful Matters for carrying this Act into execution as such Chief or Under Secretary shall from Time to Time direct. *Receiver* — Property to be vested in him.

XLI. It shall be lawful for the Receiver for the Time being to purchase or lease any Lands or Buildings which may be required for the Purposes of this Act, and any Lands or Buildings so purchased or leased shall vest in the Receiver for the Time being and his Successors in Office in trust for the Purposes of this Act, and the Lands Clauses Consolidation Act, 1845, except the Provisions for affording Access to the Special Act, shall be incorporated with and form Part of this Act. Receiver may purchase Lands.

XLII. When any Goods or Money charged to be stolen or unlawfully obtained, and of which the Owner shall be unknown, shall be ordered by any Divisional Justice to be delivered to the Receiver of the Police District, it shall be lawful for the Receiver after the Expiration of *Twelve* Calendar Months, during which no Owner shall have appeared to claim the same, to sell or dispose of such Goods or Money for the Benefit of the Police Fund of the said District. Receiver may sell unclaimed stolen Goods after Twelve Months. 5 Vict. c. 24. s. 58.

XLIII. Upon the Death, Resignation, or Removal of any Receiver appointed under this Act, the Balance of Cash for which he shall at the Time have Credit on his Account as Receiver with the Governor and Company of the Bank of Ireland shall, as soon as a Successor shall be appointed to the Office of Receiver, actually vest in such Successor, and shall be immediately transferred to the Account of such Successor, to be applied for the Purposes of this Act; and the Receiver for the Time being is hereby required to issue his Drafts or Orders, countersigned as aforesaid, for all unsatisfied Charges and Demands payable out of the Monies in the Bank, although the same shall have accrued in the Time of any former Receiver. Upon Death or Removal of Receiver, Balance in Bank transferred to Successor. 6 & 7 W. 4. c. 29. s. 13.

XLIV. If any Person having resigned or having been removed from the Office of Receiver shall neglect, within *Twenty-one* Days after Notice for such Purpose, to account for and pay to any succeeding Receiver all such Sums of Money as shall remain in his Hands applicable to the Purposes of this Act, it shall be lawful for the Receiver for the Time being, in his own proper Name only, or by his Name and Upon Removal of Receiver, Successor may sue for Balance in hand. 6 & 7 W. 4. c. 29. s. 14.

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Receiver.

Mode of proceeding.

Description of Office, to sue for and recover the same from such Person, with Double Costs of Suit, in any of Her Majesty's Courts of Record at Dublin, in which Action it shall be sufficient for such Receiver to sue as for Money had and received to the Use of such Receiver for the Purposes of this Act.

Special Bail.

Court may refer Accounts to Officer or Arbitrator

XLV. The Defendant in such Action may, at the Discretion of any Judge of such Court, be held to Special Bail in such competent Sum as the Judge shall order; and the Court in which the Action shall be brought may, at the Instance of either of the Parties, refer the Account in dispute in a summary Manner to be audited by any Officer of the Court or other fit Person, who may examine both Plaintiff and Defendant upon Oath (which Oath the Referee shall have Power to administer); and upon the Report of such Referee, unless either of the Parties shall show good Cause to the contrary, the Court may make a Rule either for the Payment of such Sum as upon the Report shall appear to be due, or for staying the Proceedings in the Action, and upon such Terms and Conditions as to the Court shall appear reasonable; or the Court may order Judgment to be entered up by Confession for such Sum as upon the Report shall appear to be due.

Mode of proceeding against Representatives of deceased Receiver. 6 & 7 W. 4. c. 29. s. 15.

XLVI. In case of the Death of any Person during the Time that he shall be holding the Office of Receiver, or after he shall have resigned or been removed from such Office, the Receiver for the Time being may, in his own proper Name only, or by his Name and Description of Office, sue for and recover from the Executors or Administrators of such Person deceased all such Sums of Money as shall have been remaining in his Hands applicable to the Purposes of this Act in any of Her Majesty's Courts of Record at Dublin; in which Action it shall be sufficient for the Plaintiff to allege that the Deceased was indebted to the Plaintiff for Money had and received to his Use for the Purposes of this Act, or that the Deceased died possessed of Money had and received for the Purposes of this Act, whereby an Action hath accrued to the Plaintiff to demand and have the same from such Executors or Administrators; and the like Action may be brought against any Executors or Administrators of Executors or Administrators; and in all such Actions the Defendants may plead in like Manner and avail themselves of the like Matters in Defence as in any Action founded upon simple Contracts of the original Testator or Intestate; and the Court may refer the Account in Dispute to be audited by any Officer or Person, and may proceed upon the Report of such Referee in like Manner as is herein-before mentioned.

Police Force.

Police Force for whole

XLVII. The Men heretofore appointed and now acting as a Police Force for the whole of the District shall continue so to act, and shall have,

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have, not only within the said District, but also within the Counties of Dublin, Wicklow, Kildare, and Meath, and within all Liberties therein, all such Powers and Privileges, and shall be bound to perform all such Duties, as any Constable duly appointed now has or hereafter may have within his Constablewick by virtue of the Common Law of this Realm, or of any Statutes made or to be made, and to obey all such lawful Commands as they may from Time to Time receive from any of the Commissioners for conducting themselves in the Execution of their Office; and all the Men hereafter to be appointed to the said Police Force shall, within the said District and Counties, in like Manner be bound to perform all such Duties, and shall be sworn in to perform the same, and shall have and enjoy all the Powers and Privileges aforesaid.

Police Force.

District appointed, &c. 6 & 7 W. 4. c. 29. s. 4.

XLVIII. All Constables appointed under this Act shall to all Intents and Purposes have and exercise the several Powers and Privileges respectively vested in Constables by any Statute or Law now in force, except where the contrary is directed by this Act, or where the same would be repugnant to or inconsistent with any Provision herein contained.

Constables, &c. under Act invested with same Powers as similar Officers. 6 & 7 W. 4. s. 36.

XLIX. Every Constable hereafter to be appointed under this Act shall, before he shall do any Act in his said Office, take and subscribe the Oath following; (that is to say,)

'I A.B. do swear, That I will well and truly serve our Sovereign 'Lady the Queen in the Office of Constable, without Favour or 'Affection, Malice or Illwill; that I will see and cause Her Majesty's 'Peace to be kept and preserved, and I will prevent, to the best of my 'Power, all Offences against the same; that while I shall continue to 'hold the said Office I will, to the best of my Skill and Knowledge, 'discharge all the Duties thereof faithfully according to Law; and 'that I do not now belong to and that while I shall hold the said 'Office I will not join or belong to any political Society whatsoever, 'or any secret Society whatsoever unless the Society of Freemasons."

Form of Oath to be taken by all Constables under Act. 6 & 7 W. 4. c. 29. s. 44.

And the said Oath shall be administered to all Constables hereafter to be appointed by the said Commissioners, and shall in all Cases be subscribed by the Person taking the same.

L. Any of the Superintendents or Inspectors who shall be selected by the Commissioners shall be ex-officio Inspectors of Weights and Measures within the said District, and shall possess and exercise all the Powers and be subject to the like Penalties for any Neglects or Offences in the Discharge of such Duties which any Inspector of Weights and Measures may possess or exercise or be liable to by virtue

Superintendents, &c. shall be Inspectors of Weights and Measures.

Summary Jurisdiction Act, 14 & 15 Vict. c. 92. s. 18.

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Dublin Improvement Act, 12 & 13 Vict. c. 97. ss. 82. 83. 84. & 85., as also Schedules to that Act.

virtue of an Act passed in Fifth and Sixth Years of the Reign of King William the Fourth, Chapter Sixty-three, and shall perform such Duties, under the Directions of the Commissioners, without Fee or Reward, and notwithstanding any Manorial Jurisdiction or Claim of Jurisdiction within the said District.

May provide Sub-Standard Weights and Measures.

LI. It shall be lawful for the Commissioners, with the Assent of the Chief or Under Secretary, from Time to Time to procure as many Copies, in Iron or other proper Material of the Imperial Weights and Measures now in the Custody of the Lord Mayor of Dublin, as they shall see fit, and to direct that the same shall be duly compared and stamped; and the said Copies shall be called the Dublin Police Sub-Standard Weights and Measures, and shall be deposited with the said Superintendents or Inspectors, so as to enable them the more easily to discharge the Duties of Inspectors of Weights and Measures, and shall, at least once in every Year, and also at any other Times when required by the Commissioners, be compared with and corrected by the said Imperial Standard Weights and Measures by the said Superintendents or Inspectors so to be appointed as aforesaid, who shall adjust the same, and also affix the proper Stamp thereto; and such Copies so adjusted and stamped shall, until the next Comparison of the same to be made in manner aforesaid, be considered to all Intents the same as the said Standard Weights and Measures for all Purposes of Comparison and Verification, and for all other Purposes for which such Standard Weights and Measures are required under the Provisions of the said recited Act, by any Inspector of Weights and Measures.

Punishment for improper Use of Copies and for false Weights and Measures.

LII. Any Person who shall use the said Copies for any Purpose other than those hereby authorized shall be liable to a Fine not exceeding *Five Pounds* for every such Offence; and any Person who shall use any Weight or Measure, other than those authorized by the said recited Act, for the Sale of any Article, shall on Conviction thereof be liable to a Fine not exceeding *Five Pounds*, and every such light or unjust Weight or Measure so used shall, on being discovered by any such Superintendent or Inspector as aforesaid, be seized by him, and upon the Conviction of the Person so using or possessing the same shall be forfeited, and forthwith destroyed.

No Constable to be a menial Servant, &c. 6 & 7 W. 4. s. 22.

LIII. No Person appointed a Constable shall be or act as a domestic or menial Servant to any Person whatsoever.

Police Vans, &c. exempted from Turnpike Tolls. 5 Vict. c. 24. s. 2.

LIV. No Toll shall be demanded or taken on any Turnpike Road or Bridge for any Horse or Police Van passing along such Road or Bridge in the Service of the Dublin Police, provided that the Rider of

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of such Horse or Driver of such Van shall have his Dress and Accoutrements according to the Regulations of the Police at the Time of claiming the Exemption; and every Person who shall fraudulently claim or take the Benefit of the Exemption from Toll herein contained, not being lawfully entitled thereunto, shall for every such Offence be liable to a Penalty not exceeding *Five Pounds;* and in all such Cases the Proof of Exemption shall be upon the Person claiming the same. *Police Force.*

LV. If any Victualler or Keeper of any House, Shop, Room, or other Place for the Sale of any Liquors, whether spirituous or otherwise, shall knowingly harbour or entertain any Man belonging to the said Police Force, or permit such Man to abide or remain in his House, Shop, Room, or other Place during any Part of the Time appointed for his being on Duty, every such Victualler or Keeper as aforesaid, being convicted thereof before any Justice of the Peace, shall for every such Offence forfeit and pay such Sum, not exceeding *Five Pounds.* Penalty on Publicans harbouring Constables during Hours of Duty. 6 & 7 W. 4. s. 6.

LVI. Every Constable who shall be dismissed from or shall cease to hold and exercise his Office, and who shall not forthwith deliver over all the Clothing, Accoutrements, Appointments, and other Necessaries which may have been supplied to him for the Execution of his Duty, to the Commissioners of Police, or to such Person and at such Time and Place as shall be directed by them, shall be liable to Imprisonment with or without Hard Labour for any Time not exceeding *One Calendar Month;* and it shall be lawful for the Commissioners or any Divisional Justice to issue his Warrant to apprehend every such dismissed Constable, and to search for and seize to the Use of Her Majesty all the Clothing, Accoutrements, Appointments, and other Necessaries which shall not be so delivered over wherever the same may be found. Constables dismissed to deliver up Accoutrements. 5 Vict. c. 21. s. 3.

LVII. If any Pawnbroker within the said District, or Person acting for him in his Trade or Business, or any other Person, shall knowingly buy, receive, or take into Pawn the Clothing, Accoutrements, or Appointments supplied to any such Constable, or any Part thereof, every such Pawnbroker or other Person shall be liable for every such Offence to a Penalty not exceeding *Five Pounds*, and shall, upon Demand made by any Superintendent, Inspector, or Sergeant of the said Police Force, forthwith restore to him the Article or Articles so taken into Pawn without Payment of any Sum or Sums of Money which may have been lent thereupon, or any Interest therefor. Penalty on Pawnbroker or other Person wilfully taking such Clothing, &c. into Pawn.

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Police Force.

Penalty for unlawful Possession of Accoutrements, or assuming Dress of Constables. 5 Vict. c. 24. s. 4.

LVIII. Every Person, not being a Constable of the Dublin Police, who shall have in his Possession any Article being Part of the Clothing, Accoutrements, or Appointments supplied to any such Constable, and who shall not be able satisfactorily to account for his Possession thereof, or who shall put on the Dress or take the Name, Designation, or Character of any Person appointed as such Constable, for the Purpose of thereby obtaining Admission into any House or other Place, or of doing or procuring to be done any Act which such Person would not be entitled to do or procure to be done of his own Authority, or for any other unlawful Purpose, shall, in addition to any other Punishment to which he may be liable for such Offence, be liable to a Penalty not more than *Ten Pounds*.

Removing Furniture to evade Rent. 5 Vict. c. 24. s. 30.

LIX. It shall be lawful for any Constable to stop and detain, until due Inquiry can be made, all Persons, Carts, and Carriages employed in removing the Furniture of any House or Lodging between the Hours of *Eight* in the Evening and *Six* in the following Morning, or whenever the Constable shall have good Grounds for believing that such Removal is made for the Purpose of evading the Payment of Rent.

Power to arrest Persons carrying stolen Goods. 48 G. 3. s. 45.

LX. It shall be lawful for any Divisional Justice or Constable to apprehend any Person carrying or conveying any Goods within the Police District, in case it shall appear to such Justice or Constable that there is probable Cause to suspect that such Goods have been stolen or feloniously taken and carried away; and thereupon the said Person so taken, together with such Goods, shall as soon as convenient be conveyed to the Police Court of the Division in which the same shall have been so taken, to be dealt with according to Law; and in all Cases of Felony, Misdemeanor, or other Criminal Offences arising or committed within the said District, the Persons apprehended shall be brought as immediately as convenient before a Justice of the Division in which such Felony or other Offence shall have been originally committed, to be so dealt with.

Constables to search for concealed Arms. 48 G. 3. s. 52.

LXI. It shall be lawful for the said Constables, or any of them, being thereto duly authorized by the Warrant of any of the Commissioners or Divisional Justices, to search all suspected Places in such Warrant mentioned for concealed Arms; and if such Constables shall thereupon find any Gun, Pistol, Sword, Blunderbuss, Pike, Dagger, or Hanger, or other Arms in the Possession of any Person not qualified by Law to bear or carry Arms, they are hereby required and authorized to seize and carry the same to the Police Court of the Division in which such Arms shall be so found, and the Justices of such Division are required to send such Arms so seized to Her Majesty's

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Majesty's Arseual, to be applied to the Use of Her Majesty; and the Person in whose Possession the said Arms shall be so found shall, if required by the Justices, find Sureties for his good Behaviour for any Period not exceeding *Two* Years, or shall be committed to Prison until he shall give such Security: Provided always, that no such Warrant shall be granted except on the Information, upon the Oath of One or more credible Witnesses, that to the best of their Knowledge and Belief such unqualified Person is in possession of Arms as aforesaid. *Police Force.*

Constables to break open Houses to search for Traitors, Felons, &c. 48 G. 3. s. 46.

LXII. It shall be lawful for the said Constables, or any of them, being duly authorized thereto by the Warrant of the Commissioners or Divisional Justices, which Warrant any such Commissioner or Justice, on Information on Oath to him given, is hereby authorized to grant, to break open any Dwelling House, Outhouse, Shop, Warehouse, Cellar, or other Place named in such Warrant, as shall not be opened on Demand, after due Notice of such Warrant, in order to search for Traitors or Felons, or Accessories to any Traitors or Felons, or Receivers of stolen Goods, or to search for any Goods or other Things stolen or feloniously taken or carried away.

Warrant, &c. may be executed out of District by any Constable. 5 Vict. c. 24. s. 48.

LXIII. Every Distress or Levy Warrant, or Search Warrant, or Warrant to compel the Appearance of any Person, or Warrant for the Apprehension of any Person charged with any Offence, issued by any of the Commissioners or Justices, in respect of any Matter arising within the Police District, or within the Counties of Dublin, Wicklow, Kildare, or Meath, or within any other Place to which the Jurisdiction of the said Commissioners or Justices shall extend, may be served or executed out of the said District by any Constable belonging to the Dublin Police or other Peace Officer to whom the same shall be directed, and shall have the same Force and Effect as if the same had been originally issued or subsequently endorsed by a Justice or Justices of the Peace having Jurisdiction in the Place where the same shall be served or executed; and all Gaolers and Keepers of Prisons are hereby authorized and directed to receive into their Custody such Person, when apprehended or in Custody under or by virtue of such Warrant, and him in safe Custody to keep until transmitted to the said Metropolitan Police District, any Law or Usage to the contrary notwithstanding; and any Person obstructing or hindering such Constables or other Peace Officers in the Execution of any such Warrant shall be liable to the same Pains or Penalties for such Obstruction and Hindrance as if such Offence had been committed within the said Metropolitan Police District. 48 G. 3. s. 31.

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Police Force.

Police to have Power of Constables upon the Liffey, &c.; and may take any Person who, to prevent Discovery, shall wilfully let fall any Articles into the River &c. 5 Vict. c. 24. s. 19.

LXIV. Every Officer and Constable belonging to the Dublin Police shall have all the Powers and Privileges of a Constable upon the River Liffey within or adjoining to the said District, or the several Counties of Dublin, Kildare, and Wicklow, and in and on the Harbour of Dublin and Harbour of Kingstown, and the Docks or Creeks adjacent thereto, or within *Ten* Miles thereof; and it shall be lawful for any such Constable to take into Custody every Person who for the Purpose of preventing the Seizure or Discovery of any Materials, Furniture, Stores, or Merchandise belonging to or having been Part of the Cargo of any Ship, Boat, or Vessel lying in the River Liffey, Harbour of Dublin, or Harbour of Kingstown, or the Docks or Creeks adjacent thereto, or within *Ten* Miles thereof respectively, or of any other Articles unlawfully obtained from any such Ship, Boat, or Vessel, shall wilfully let fall or throw into the said River, or any of the said Docks or Creeks, or in any other Manner convey away from any Ship, Boat, or Vessel, Wharf, Quay, or Landing Place, any such Article, or who shall be accessory to any such Offence, and also to seize and detain any Boat in which such Person shall be found, or out of which any Article shall be so let fall, thrown, or conveyed away; and every such Person shall be deemed guilty of a Misdemeanor.

Superintendents and Inspectors may board Vessels. 5 Vict. c. 24. s. 23.

LXV. Any Superintendent or Inspector shall have Power by virtue of his Office to enter at all Times, with such Constables as he shall think necessary, as well by Night as by Day, into and upon every Ship, Boat, or other Vessel (not being then actually employed in Her Majesty's Service) lying in the said River or any of the said Harbours, Docks, and Creeks, and into every Part of every such Vessel for the Purpose of inspecting and upon Occasion directing the Conduct of any Constable who may be stationed on board of any such Vessel, and of inspecting and observing the Conduct of all other Persons who shall be employed on board of any such Vessel in or about the lading or unlading thereof, as the Case may be; and for the Purpose of taking all such Measures as may be necessary for providing against Fire and other Accidents, and preserving Peace and good Order on board of any such Vessel, and for the more effectual Prevention of the Existence of any Common Nuisance dangerous or prejudicial to Health, every such Superintendent or Inspector, with such Constables as aforesaid, shall have full Power and Authority to enter every such Ship, Boat, or other Vessel in order to enforce and carry into effect against the Owner, Master, or other Person having the Charge of any such Vessel as aforesaid the Provisions respecting Common Nuisances hereinafter contained touching such Matters and Things.

LXVI. It

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Police Force.

Superintendent, &c. having just Cause to suspect Felony, may enter on board Vessels, &c. to take up suspected Persons. 5 Vict. c. 24. s. 24.

LXVI. It shall be lawful for every Superintendent, Inspector, or Sergeant, having just Cause to suspect that any Felony has been or is about to be committed in or on board of any Ship, Boat, or other Vessel lying in the said River, or any of the said Harbours, Docks, and Creeks, to enter at all Times, as well by Night as by Day, into and upon every such Ship, Boat, or other Vessel, and therein to take all necessary Measures for the effectual Prevention or Detection of all Felonies or Misdemeanors, which he has just Cause to suspect to have been or to be about to be committed in or upon the said River or Harbours, Docks or Creeks, and to take into Custody all Persons suspected of being concerned in such Felonies or Misdemeanors, and also to take charge of all Property so suspected to be stolen.

Power to Police Constables and Persons aggrieved to apprehend certain Offenders, &c. 5 Vict. c. 24. s. 29.

LXVII. Any Person found committing any Offence punishable either upon Indictment or as a Misdemeanor upon summary Conviction, by virtue of this or any other Act, may be taken into Custody without a Warrant by any Constable or may be apprehended by the Owner of the Property on or with respect to which the Offence was committed, or by his Servant or any Person authorized by him, and may be detained until he can be delivered into the Custody of a Constable to be dealt with according to Law; and every Constable may also stop, search, and detain any Vessel, Boat, Cart, or Carriage in or upon which there shall be Reason to suspect that anything stolen or unlawfully obtained may be found, and also any Person who may be reasonably suspected of having or conveying in any Manner anything stolen or unlawfully obtained; and any Person to whom any Property shall be offered to be sold, pawned, or delivered, if he shall have reasonable Cause to suspect that any such Offence has been committed with respect to such Property, or that the same or any Part thereof has been stolen or otherwise unlawfully obtained, is hereby authorized, and, if in his Power, is required to apprehend and detain, and as soon as may be to deliver such Offender into the Custody of a Constable, together with such Property, to be dealt with according to Law.

Constables may apprehend Offender whose Name and Residence are not known. 5 Vict. c. 24. s. 26.

LXVIII. It shall be lawful for any Constable, and for all Persons whom he shall call to his Assistance, to take into Custody without a Warrant any Persons who within View of any such Constable shall offend in any Manner against this Act, and whose Name and Residence shall be unknown and cannot be ascertained by such Constable.

Constables may apprehend Thieves, &c. without

LXIX. It shall be lawful for any Constable to take into Custody without a Warrant all reputed Thieves, Nightwalkers, and all other loose, idle, and disorderly Persons whom he shall find disturbing the

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Police Force.

Warrant in certain Cases. 5 Vict. c. 24. s. 27.

public Peace, or whom he shall have good Cause to suspect of having committed or being about to commit any Felony or Misdemeanor, or Breach of the Peace.

Persons charged with recent Assaults may be apprehended without Warrants. 5 Vict. c. 24. s. 28.

LXX. It shall be lawful for any Constable to take into Custody without Warrant any Person who within the Limits of the Police District shall be charged by any other Person with committing any Assault, in every Case in which such Constable shall have good Reason to believe that such Assault has been committed, although not within View of such Constable, and that by reason of the recent Commission of the Offence a Warrant could not have been obtained for the Apprehension of the Offender.

Persons apprehended without Warrant to be taken to the Station House. 5 Vict. c. 24. s. 32.

LXXI. Every Person taken into Custody by any Constable without Warrant, except Persons detained for the mere Purpose of ascertaining their Name or Residence, shall be forthwith delivered into the Custody of the Constable in charge of the nearest Station House, in order that such Person may be secured until he can be brought before a Divisional Justice to be dealt with according to Law, or may give Bail for his Appearance before a Divisional Justice, if the Constable in charge shall deem it prudent to take Bail, in the Manner herein-after mentioned.

Power to bind over Persons making Charges. 5 Vict. c. 24. s. 34.

LXXII. Whenever any Person charged with any Felony, or any Misdemeanor punishable by Transportation, or other grave Misdemeanor, shall be without Warrant in the Custody of any Inspector at any Station House during the Time when the Police Courts shall be shut, it shall be lawful for the Inspector in charge of the Station House to require the Persons making such Charge to enter into a Recognizance conditioned as herein-after mentioned, and upon his or her Refusal so to do it shall be lawful for such Inspector, if he shall deem it prudent, to discharge from Custody the Person so charged, upon his or her Recognizance, with or without Sureties conditioned as herein-after mentioned.

Inspector may take Bail for Appearance of Parties before a Justice, &c. 6 & 7 W. 4. c. 29. s. 8.

LXXIII. Where any Person charged with any petty Misdemeanor, or with any Offence of which he is liable to be summarily convicted before a Magistrate, shall be brought, without the Warrant of a Justice into the Custody of any Inspector during the Time when the Police Courts shall be closed, or in the Night-time at any Station House, it shall be lawful for such Inspector, if he shall deem it prudent, to take Bail by Recognizance, with or without Sureties, without any Fee or Reward from such Person, conditioned that such Person shall appear for Examination before a Justice at some Place to be specified in the Recognizance, at the Hour of *Nine* of the Clock in the Forenoon of the

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the Day next after such Recognizance shall be taken, unless that Day shall fall on a Sunday, or on Christmas Day or Good Friday, and in that Case at the like Hour on the succeeding Day. *Police Force.*

Nature and Form of Recognizance of Bail.

LXXIV. Every Recognizance taken by any such Inspector as aforesaid shall be of equal Obligation on the Parties entering into the same, and liable to the same Proceedings for the estreating thereof, or otherwise dealing therewith, as if the same had been taken before a Justice; and the Inspector shall enter in a Book to be kept for that Purpose in every Station House the Names, Residence, and Occupation of the Party, and his Surety or Sureties, if any, entering into such Recognizance, together with the Condition thereof, and the Sums respectively acknowledged, and shall lay the same before such Justice as shall be present at the Time and Place when and where the Party is required to appear.

Parties making default may be arrested.

LXXV. If the Party does not appear at the Time and Place required, any Constable of the said Police Force may, without Warrant, arrest any such principal Party wherever he can be found, and with as little Delay as may be convenient bring him before such Justice, or any other of the said Divisional Justices, to be dealt with according to Law.

Enlarging Recognizance.

LXXVI. If the Party not appearing shall apply by any Person on his Behalf to postpone the Hearing of the Charge against him, and the Justice shall think fit to consent thereto, the Justice shall be at liberty to enlarge the Recognizance to such further Time as he shall appoint; and when the Matter shall be heard and determined, either by the Dismissal of the Complaint or by binding the Party over to answer the Matter thereof at the Sessions or otherwise, the Recognizance for the Appearance of the Party before a Justice shall be discharged without Fee or Reward.

Horses, Carriages, &c. of Offenders may be detained. 5 Vict. c. 24. s. 31.

LXXVII. Whenever any Person having Charge of any Horse, Cart, Carriage, or Boat, or any other Animal or Thing, shall be taken into the Custody of any Constable under the Provisions of this Act, it shall be lawful for such Constable to take charge of such Horse, Cart, Carriage, or Boat, or such other Animal or Thing, and to deposit the same in some Place of safe Custody, as a Security for Payment of any Penalty to which the Person having had Charge thereof may become liable, and for Payment of any Expenses which may have been necessarily incurred for taking charge of and keeping the same.

Police Courts.

Lord Lieutenant empowered to

LXXVIII. It shall be lawful for the Lord Lieutenant to establish in the Divisions of the said District such Number of Police Courts as shall

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Police Courts.

establish Police Courts within District. 3 & 4 Vict. c. 103. s. 1.

shall to the said Lord Lieutenant appear necessary, and from Time to Time to alter the Number of such Police Courts, and to discontinue or alter the Situation of the same, as Occasion may require; and it shall be lawful for such Lord Lieutenant to direct the regular daily Attendance at such Police Courts of the Justices of the Division, or any of them, or of any of the other Justices beretofore appointed or hereafter to be appointed, and to make from Time to Time such Regulations in respect of the Attendance thereat of any of such Justices, and of any other Officers belonging to any of the Police Courts already established, and for conducting the Business of the said additional Police Court as may be deemed expedient; and every Divisional Justice attending at every new or additional Police Court to be established in any Division under the Authority of this Act shall have and exercise all Rights, Powers, Privileges, Jurisdictions, and Authorities at such Police Court as last aforesaid, and be subject to the like Direction and Control as he could or might by Law exercise or may be subject to at any Divisional Court already established or to be established within the said District.

Chief or Under Secretary may make Rules for Business of Courts. London Police Act, 2 & 3 Vict. c. 71 s. 16.

LXXIX. The Chief Secretary, or in his Absence the Under Secretary, may from Time to Time make such Rules for regulating the Manner of conducting the Business in the said Courts, and for securing Uniformity therein, as shall appear fit to be made, and may vary or rescind any such Rule, and make others in lieu thereof; and a Copy of every such Rule, signed by the Chief or Under Secretary, shall be sent to each of the said Justices, and to the Chief Clerk of each of the said Courts; and every Rule made for such Purposes as aforesaid shall be observed by the Justices, Clerks, and Officers of the said Courts.

Place in which Justices hear summary Proceedings an open Court. 14 & 15 Vict. c. 93. s. 9.

Parties may have Counsel or Attorney.

LXXX. In all Cases of summary Proceedings, the Place in which any Divisional Justice shall sit to hear and determine any Complaint shall be deemed an open Court, to which the Public generally may have Access, so far as the same can conveniently contain them; and the Parties by and against whom any Complaint or Information shall there be heard shall be admitted to conduct or make their full Answer and Defence thereto respectively, and to have the Witnesses examined and cross-examined by themselves or by Counsel or Attorney on their Behalf.

Place where Examinations in Proceedings for indictable Offences are taken not an

LXXXI. In all Cases of Proceedings for indictable Offences, the Place in which any such Divisional Justice shall sit to take any Examination or Statement relating to any such Offence shall not be deemed an open Court for that Purpose, but it shall be lawful for such Justice in his Discretion to order that no Person (the Counsel or Attorney

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Police Force.

Attorney of any Person then being in such Court as a Prisoner only excepted) shall have Access to or be or remain in such Place without the Consent or Permission of such Justice, if it appear to him that the Ends of Justice will be thereby best answered; and if any Person shall wilfully insult any such Divisional Justice so sitting in any such Court or Place, or shall commit any other Contempt of any such Court, it shall be lawful for such Justice by any verbal Order either to direct such Person to be removed from such Court or Place, or to be taken into Custody, and at any Time before the rising of such Court by Warrant to commit such Person to Gaol for any Period not exceeding *Seven* Days, or to fine such Person in any Sum not exceeding *Forty Shillings*.

Open Court without Consent of Justice.

Power to commit and fine for Contempt of Court.

LXXXII. No Divisional Justice acting at any of such Police Courts shall permit any Person to act as an Attorney or Solicitor in the Prosecution of any Cause, Matter, or Proceeding pending before such Justice who is not a Solicitor or Attorney of some One of Her Majesty's Courts of Record at Dublin.

No Attorney to practise in Police Courts, unless admitted in Superior Courts.

LXXXIII. It shall be lawful for any such Justice acting as aforesaid to suspend any Solicitor or Attorney from Practice therein for any Period not exceeding *Twelve* Calendar Months, by reason of any Misbehaviour of such Solicitor or Attorney: Provided always, that every such Suspension shall be by Order in Writing, stating the Cause thereof; and every Person so suspended shall be entitled to a Copy of such Order, and shall be at liberty to apply to the Judges of Her Majesty's Court of Queen's Bench in Ireland, or any of them, in order to have such Suspension removed; and such Judges, or any of them, may make such Order on such Petition as to them or him may seem befitting; and if such Judges, or any of them, shall be of opinion that such Suspension was improperly ordered by such Justice, they or he shall certify such Opinion on such Order of Suspension, and shall communicate the same to the said Chief or Under Secretary.

Attorneys may be suspended for Misconduct.

Appeal by Petition to Queen's Bench.

Fees.

LXXXIV. Such Fees as are contained in the Schedule C. to this Act annexed, and no other or greater Fees, may be taken for any Business done or Proceedings had before or by any of the said Justices, or by any Justice acting in any Police Court within the said Police District, and a Table of such Fees shall be fixed in some conspicuous Part of each of the said Courts, and it shall be lawful for any of the said Justices to refuse to do any Act for which any Fee shall be demandable, unless such Fee shall be first paid; and if any such Act shall be done, and the Fee due thereon shall not be paid, it shall be lawful for any of the said Justices to summon the Person from whom such Fee shall be due, and to make Order for Payment of the same,

Fees, &c. 5 Vict. c. 24. s. 69.

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Police Courts.

with the Costs of the Proceedings, and in default of Payment to levy the same, with the Costs of the Distress, by Warrant under his Hand.

Clerks to keep Account of Fees. 48 G. 3. c. 140. s. 28. 2 & 3 Vict. c. 71. s. 46. London.

LXXXV. The Divisional Justices at each of the said Courts shall take care that One of their Clerks shall, in Books to be provided for that Purpose, keep a full, true, and particular Account of all Fees received thereat, and that such Clerk shall once in every Month deliver unto the Receiver such Account, verified by a solemn Declaration, to be made by the Clerk or other Person who shall have heretofore received such Fees, or in any Manner interfered therewith, or who may hereafter be appointed to receive the same, or so to interfere therewith, or in keeping such Accounts respectively, or any Part thereof, and which Declaration shall be made before One of the said Commissioners; and such Clerk or other Person shall pay the Amount of all such Fees to the Receiver without any Delay; and the Receiver shall at all Times have free Access to the said Books of Account.

Divisional Justices.

Divisional Justices hereafter to be appointed shall be Barristers. 48 G. 3. c. 140. s. 14. 5 Vict. c. 24. s. 46.

LXXXVI. When any of the Offices of Divisional Justice shall by Death, Resignation, Removal, or otherwise become vacant, the same, if necessary, shall be filled up by the Lord Lieutenant; and any Person who may hereafter be appointed to supply such Vacancy shall be a Barrister, who shall have practised as such during at least *Six* Years then last past.

Proviso against practising, &c.

LXXXVII. No Barrister who at present is or shall hereafter be appointed a Divisional Justice of the said District shall, during his Continuance in the said Office, practise as a Barrister in any Manner whatever, save and except in the Discharge of his Duty as such Divisional Justice, or act in any Manner whatsoever for Profit or Emolument, so as to interfere with or interrupt him in the due Discharge of the Duties of his said Office, contrary to the true Intent and Meaning of this Act; and if any such Barrister shall offend herein, it shall be lawful for the said Lord Lieutenant either to remove him altogether from the said Office, or to direct that he be suspended from the Performance of the Duties thereof for such Period as the said Lord Lieutenant shall think fit.

Divisional Justices to take Oaths of and be Justices in District and Counties adjoining.

LXXXVIII. Every such Divisional Justice shall, before he shall begin to execute the Duties of his Office, take and subscribe before some Justice or Baron of One of Her Majesty's Courts of Record at Dublin, such Oath of Office as is or shall be by Law required to be taken by the Justices of the Peace in Ireland, and thereupon shall to all Intents and Purposes be a Justice of the Peace within every Part of the said Police District of Dublin Metropolis, and shall also be

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be a Justice of the Peace within and for the Counties of Dublin, Wicklow, Kildare, and Meath. *Divisional Justices.*

When Divisions reduced below Three, Justices, &c. may be superseded by Lord Lieutenant. 1 Vict. c. 25. s. 14.

LXXXIX. Whenever the Number of Police Divisions in the said District shall be reduced below Three, it shall and may be lawful for the said Lord Lieutenant to select from and out of the Divisional Justices then acting as such so many as may be required to discharge the Duties of the Police Courts therein, and to supersede any other of the said Justices whose Services may not be required, and in like Manner to supersede any Clerk or Clerks previously attached to any such Courts.

Salaries of Divisional Justices.

XC. So soon as the Divisional Justices now holding Office or hereafter to be appointed shall be reduced to any Number under *Six*, the Salaries of such Justices shall be increased from the present Salary of Six hundred Pounds to such Sum by the Year as the Lord Lieutenant shall, with the Sanction of the Commissioners of the Treasury, direct, not exceeding *Eight hundred Pounds*, to be charged on the Funds applicable to the Maintenance of the Police: Provided always, that the Compensation or Allowances of any such Justices who shall retire or be superseded or removed within *One Year* from the passing of this Act, shall be calculated on the Amount of the Salaries of such Justices at the Time of the passing of this Act.

In case of Death or Absence of Divisional Justice. 5 Vict. c. 24. s. 73.

XCI. If any of the Divisional Justices before whom any Information shall be exhibited, or other Proceeding had, prosecuted, or continued, shall die or be absent pending such Information or Proceeding, or before the same shall be finally disposed of, it shall be lawful for any other of the Divisional Justices to entertain, hear, determine, and dispose of such Information and Proceeding, and to do all Acts in relation thereto, in like Manner and with the like Powers and Authority for all Intents and Purposes as if such Information had been originally exhibited or Proceeding had or taken before such last-mentioned Justice or Justices respectively.

One Divisional Justice may do any Act directed to be done by more than One Justice. 5 Vict. c. 24. s. 47.

XCII. It shall be lawful for any One Divisional Justice to sign or execute any Warrant or other Instrument, or to do alone, at any of the said Police Courts, or at any Place where for any special Purpose he may by Warrant under the Hand of the said Chief or Under Secretary be directed to attend, and to act singly, any Act which by any Law now in force, or by any Law not containing an express Enactment to the contrary hereafter to be made, is or shall be directed to be signed, executed, or done by more than One Justice.

No Justice for County or City of

XCIII. No Justice or Justices of the Peace for the County of Dublin, or for the County of the City of Dublin, shall act as such in

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Divisional Justices.

Dublin to act in holding Petty Sessions or summarily within District. 48 G. 3. c. 140. s. 27. 2 & 3 Vict. c. 71. s. 42. (London.)

the holding of any Court of Petty Sessions, or in the issuing or granting of any Summons or Warrant, or in the Hearing and Adjudication of any Complaint, Cause, or Matter to be heard and determined by him or them summarily within the said District; but all such Summonses and Warrants shall be granted, and all such Complaints, Causes, and Matters shall be heard and determined only at One of the Police Courts by One or more of the said Divisional Justices, and not elsewhere or otherwise.

No Person charged with High Treason shall be admitted Approver without Consent of Attorney or Solicitor General. 48 G. 3. c. 35.

XCIV. No Person charged with having committed any High Treason within the said Police District shall be admitted to give Evidence for the Crown against any Accomplice without the previous Consent in Writing of Her Majesty's Attorney General, or in his Absence, or in the Vacancy of the said Office, without such Consent of Her Majesty's Solicitor General, or of some other Person duly authorized to give such Consent; and any Justice offending herein shall forfeit the Sum of *One hundred Pounds*, to be recovered by Civil Bill in the proper Jurisdiction.

Power of Justices under 35 & 36 G. 3. to vest in Divisional Justices. 48 G. 3. c. 140. s. 70.

XCV. All Powers now in force, and vested in the Divisional or other Justices under the Acts of the Thirty-fifth Year of His Majesty King George the Third, Chapter Thirty-six, and the Thirty-sixth Year of the Reign of His said Majesty, Chapter Thirty, shall from and after the *passing of this Act*, in every Case relating to the Business of a Pawnbroker, be vested in the said Divisional Justices.

Divisional Justice may determine between Pawnbrokers and Borrowers; and levy Award by Distress; 5 G. 4. c. 102. s. 22. and for Want imprison Party for Two Months.

XCVI. Whenever any Dispute between any Pawnbroker and Borrower concerning any Pawn shall be determined by any Divisional Justice, and any Money shall be awarded to be paid, it shall be lawful, in case of Nonpayment, for such Divisional Justice by Warrant under his Hand and Seal, to cause the Money awarded to be levied by Distress and Sale of the Goods of the Person who shall be ordered to pay; and for Want of sufficient Goods, it shall be lawful for such Divisional Justice by like Warrant to commit such Person to the Common Gaol for any Period not exceeding *Two* Calendar Months, or until such Sum shall be sooner paid.

Disputes between Watermen and others to be settled by a Divisional Justice. 5 Vict. c. 24. s. 21.

XCVII. All Differences which shall happen between any Bargemen, Lightermen, Watermen, Ballastmen, Coal Whippers, Coal Porters, Sailors, Lumpers, Riggers, Shipwrights, Caulkers, or other Labourers who work for Hire in or upon the River Liffey or Harbour of Kingstown, or the Docks, Creeks, Wharfs, Quays, or Places adjacent, and the Owners, Masters, or Commanders of Vessels, or their Agents on the said River or Harbour, or the Docks or Creeks thereunto adjoining, or the Owners, Wharfingers, or Occupiers of such Wharfs

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Divisional Justices.

Wharfs or Quays, or their Agents or other Employers, respecting Wages or Money due to such Labourers for Work or Loss of Time, whether the same Persons he employed for any certain Time or in any other Manner, may be heard and determined by any of the said Divisional Justices; and every such Justice is hereby empowered to make such Order for Payment of so much Wages or Money to such Labourer as to the Justice shall seem just, provided that the Sum ordered do not exceed *Five Pounds*, besides all reasonable Costs attending the Prosecution of the Complaint.

Divisional Justices may award reasonable Compensation for Hurt or Damage. 5 Vict. c. 24. s. 25.

XCVIII. Every Person who by committing any Offence herein forbidden within the Police District shall have caused any Hurt or Damage to any Person or Property may be apprehended, with or without any Warrant, by any Constable, and if he shall not upon Demand make Amends for such Hurt or Damage to the Satisfaction of the Persons aggrieved, he shall be detained by the Constable in order to be taken before a Divisional Justice, and upon Conviction shall pay, in addition to any Penalty to which he may be liable, such a Sum, not exceeding *Ten Pounds*, as shall appear to the Divisional Justice before whom he shall be convicted to be reasonable Amends to the Person aggrieved.

Power to award Costs on hearing of Charges. 5 Vict. c. 24. s. 59.

XCIX. It shall be lawful for any Divisional Justice who shall hear and determine any Charge or Complaint, whether or not a Warrant or Summons shall have been issued in consequence of such Charge or Complaint, to award such Costs as to him shall seem meet to be paid to or by either of the Parties to the said Charge or Complaint.

Power to remand or enlarge Prisoners on Recognizances. 5 Vict. c. 24. s. 64.

C. Any One of the Divisional Justices, if he shall think fit, may remand any Person for further Examination, or may suffer to go at large any Person who shall be charged before him with any Felony or Misdemeanor upon his personal Recognizance (with or without Sureties); and every such Recognizance shall be conditioned for the Appearance of such Person before the same or some other of the said Justices for further Examination, or to surrender himself to take his Trial before such Court, and at such Day and Place as shall be therein mentioned; and the Justice shall be at liberty from Time to Time to enlarge every such Recognizance to such further Time as he shall appoint; and every such Recognizance which shall not be enlarged shall be discharged, without Fee or Reward, when the Party shall have appeared according to the Condition thereof: Provided always, that whenever any Justice shall take the Recognizance of any Person to appear and take his Trial before any Court of Criminal Jurisdiction, the Justice shall be bound to return the Depositions taken in the Case, and to bind over the Witnesses to appear

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Divisional Justices.

and give Evidence in like Manner as if he had committed the Party to take his Trial at such Court.

Power to lessen Shares of Penalties to Informers. 5 Vict. c. 24. s. 62.

CI. Where by any Act now in force or hereafter to be passed a Moiety or other fixed Portion of the Penalty or Penalties thereby imposed is or shall be directed to be paid to the Informer, not being the Party aggrieved, it shall be lawful for any One of the said Divisional Justices before whom the Conviction shall be had to adjudge that no Part or such Part only of the Penalty as he shall think fit shall be paid to the Informer.

Power to mitigate Penalties. 5 Vict. c. 24. s. 63.

CII. Where by any Act now in force or hereafter to be passed a limited Penalty or Term of Imprisonment is imposed on Conviction of an Offender before a Justice or Justices of the Peace, it shall be lawful for any One of the said Justices before whom such Conviction shall be had to reduce or lessen such Penalty or Term of Imprisonment in such Manner as he may think fit: Provided always, that such Reduction be made in open Court and not otherwise, and that no Penalty for the Infringement of any Act relating to the Revenue of Customs or Excise, Stamps or Taxes, or to Her Majesty's Post Office, shall be reduced by any such Justice below the Amount or Proportion allowed in that Behalf by the Acts specially relating thereunto, without the Consent of the Commissioners of Her Majesty's Inland Revenue, or the Commissioners of Her Majesty's Customs or Her Majesty's Postmaster General respectively, according as the Matter of the said Conviction may refer to the Customs, Inland Revenue, or Post Office.

Proviso as to Revenue Acts.

Divisional Justices may proceed by Summons, and if Party summoned does not appear, may issue Warrant. 5 Vict. c. 24. s. 49.

CIII. Upon any Information or Complaint made before any Divisional Justice touching or relating to any Offence or Thing which such Justice is authorized to hear and determine, he may summon the Party charged, and if such Party shall not appear according to the Tenor of the Summons, any One of the Justices, upon Proof of the Service of the Summons, may proceed in all Cases which are not of a Criminal Nature, if no sufficient Cause shall be shown for the Non-appearance of the Party, to hear and determine the Case in the Absence of the Party, and in all Criminal Cases shall issue his Warrant for apprehending and bringing such Party before him or some other Justice, in order that the said Information or Complaint may be heard and determined.

Warrant for Apprehension may be issued without Summons, &c. 5 Vict. c. 24. s. 51.

CIV. Every such Justice may, without issuing any Summons, forthwith issue his Warrant for the Apprehension of any Person charged with any Offence cognizable before him, whenever good Grounds for so doing shall be stated on Oath before him.

CV. Any

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Divisional Justices.

Justices may enforce Attendance of Witnesses. 5 Vict. c. 24. s. 52.

CV. Any such Justice may summon any Witness to appear and give Evidence before him, upon the Matter of any Offence cognizable before such Justice with which any Person shall be charged before him, at a Time and Place appointed for hearing the Information or Complaint, and by Warrant under his Hand and Seal may require any Person to be brought before him who shall neglect or refuse to appear to give Evidence at the Time and Place appointed in such Summons, Proof upon Oath being first given of personal Service of the Summons upon the Person against whom such Warrant shall be granted, and such Justice may commit any Person coming or brought before him who shall refuse to give Evidence to the Common Gaol, there to remain without Bail for any Time not exceeding *Fourteen* Days, or until such Person shall sooner submit himself to be examined; and in case of such Submission the Order of any such Justice shall be a sufficient Warrant for the Discharge of such Person; and no Person who shall be so summoned to attend before any Justice as a Witness shall be liable to Arrest for Debt whilst attending at the Place where such Justice shall sit, or whilst proceeding to or returning from the same, provided he shall proceed and return by the most direct Road without unnecessary Delay.

Witnesses to be protected from Arrest for Debt; 14 & 15 Vict. c. 93. s. 13.

12 Vict. c. 16., for Protection of Justices from vexatious Actions, incorporated.

CVI. The Provisions now in force of an Act passed in the Twelfth Year of Her present Majesty, Chapter Sixteen, for the Protection of Justices of the Peace in Ireland from vexatious Actions for Acts done by them in the Execution of their Offices, shall be and the same are hereby incorporated with this Act, so far as the same may be consistent with the express Provisions of this Act, and the Fourth Section of the said Act for the Protection of Justices who shall have granted Warrants in respect of Poor Rates shall be construed to extend and be applicable to all Warrants issued by any Divisional Justices in respect of any Rate, Tax, or Assessment by this or any other Act recoverable before such a Divisional Justice.

Informations

Informations taken by Justices shall be returned to the proper Clerk of the Crown, &c. 5 G. 4. c. 102. s. 11.

CVII. In every Case where the Commissioners or any Divisional Justice shall take any Information, such Commissioners or Divisional Justice shall in due Time before the Assizes then next ensuing, or before the then next Sitting of the Court of Queen's Bench or Quarter Sessions, as the Case may be or require, return every such Information to the Clerk of the Crown in the Queen's Bench, or to the Clerk of the Crown or Clerk of the Peace, or other proper Officer for the particular County where the Offence stated in any such Information shall be alleged to have been committed; and such Clerk of the Crown or Clerk of the Peace, or other proper Officer, shall thereupon give a Receipt in Writing under his Hand for such Information.

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Informations.

Justices not compellable to act out of District, or in Offences not being Treason or Felony. 5 G. 4. c. 102. s. 11.

Power to commit to Kilmainham Persons charged with Offences beyond District.

CVIII. Provided, That no Commissioner or Justice shall in any Instance be compellable to act as a Justice of the Peace out of the said Police District upon any Information tendered or offered to be sworn, where the Offence charged shall not amount to Treason or Felony; and provided also, that in all Cases in which any Person shall be apprehended within the Police District of Dublin Metropolis, charged with Treason or Felony committed beyond the Limits of the said District, it shall be lawful for the Commissioner or Justice before whom such Person shall be brought, and such Commissioner or Justice is hereby required, to inquire into such Evidence and Things relating thereto as shall be then offered, and thereupon to take such Informations (if any) as may appear requisite touching the same; but if it shall appear to the said Commissioner or Justice that the Evidence so produced is insufficient to sustain the Charge so made, then the said Commissioner or Justice shall dismiss the same, and discharge such Party, or in the Discretion of such Justice commit him to Her Majesty's Gaol of Kilmainham, there to be detained until he shall be transmitted according to Law to the County, District, or Place where such Treason or Felony shall have originated, to be there further and finally disposed of.

Amends may be awarded for frivolous Informations. 5 Vict. c. 24. s. 60.

CIX. In every Case in which any Information or Complaint of any Offence shall be made before any of the said Divisional Justices, and shall not be further prosecuted, or in which, if further prosecuted, it shall appear to the Justice by whom the Case shall be heard that there was no sufficient Ground for making the Charge, the Justice shall have Power to award such Amends, not more than the Sum of *Five Pounds*, to be paid by the Informer to the Party informed or complained against, for his Loss of Time and Expenses in the Matter, as to the Justice shall seem meet.

Proceedings on Information before Justices. 5 Vict. c. 24. s. 70.

CX. All Offences committed within the Limits of the Police District, which under this or any other Act are punishable on summary Conviction before a Justice or Justices of the Peace, may be heard and determined by any One of the said Divisional Justices sitting at One of the Police Courts, or at any Place within such District where any such Justice may be directed to attend, by Warrant of the Chief or Under Secretary as herein-before provided, in a summary Way, within *Six* Calendar Months at the farthest next after the Commission of such Offence, or within such shorter Time as shall be limited by the Act specifying the Offence, and not afterwards, whether or not any Information in Writing shall have been exhibited or taken by or before such Justices; and all such Proceedings by Summons, without Information in Writing, shall be as valid and effectual as if an Information in Writing had been first exhibited in that

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that Behalf: Provided also, that the Justice, if he shall think fit, may require an Information in Writing to be laid in every Case in which it shall seem to him to be expedient, before the Matter of the Complaint or Charge shall be brought before him. *Informations.*

CXI. In case any Person shall lodge any Information before any of the said Divisional Justices for any Offence alleged to have been committed by which he was not personally aggrieved, and shall afterwards directly or indirectly receive, without the Permission of One of the said Justices, any Sum of Money or other Rewards for compounding, delaying, or withdrawing the Information, it shall be lawful for any One of the said Justices to issue his Summons or Warrant, as he may deem best, for bringing before him the Party charged with the Offence of such compounding, Delay, or Withdrawal; and if such Offence be proved by the Confession of the Party, or by the Oath of any credible Witness, such Informant shall be liable to a Penalty not exceeding *Ten Pounds*. Penalties for compounding Informations. 5 Vict. c. 24 s. 61.

CXII. Any Charge, Information, or Complaint made or preferred before any such Divisional Justice at any such Court, in respect to any alleged Breach of the Laws regulating Her Majesty's Inland Revenue, Customs, or Post Office, may be withdrawn by the Person preferring, exhibiting, or making such Charge, Information, or Complaint, at any Time previous to the Hearing thereof, without such Withdrawal being any Bar or Impediment to preferring any other Suit, Information, or Proceeding whatsoever in the same or any other Court in reference to such alleged Breach of such Laws, but in all such Cases it shall not be lawful to withdraw the same after any Witness in support of such Charge, Information, or Complaint has been sworn at the Instance of the Person preferring, exhibiting, or making such Charge, Information, or Complaint. Revenue Informations may be withdrawn without Prejudice at any time before Witness sworn.

CXIII. Nothing in this Act contained, except the Provision empowering any One of the said Divisional Justices to hear and determine Offences now punishable on summary Conviction by or before Two or more Justices of the Peace, and the Power herein-before given to the Lord Lieutenant to direct any Offence or Offences to be heard and determined at any One Police Court or at certain Police Courts in the said Police District, and the Enactments herein-after contained respecting the Admission of Approvers to give Evidence against their Accomplices, shall extend or be deemed to extend to affect or alter any Proceedings before Justices of the Peace for the Recovery or Condemnation of any Penalties or Forfeitures incurred under any Act or Acts relating to the Inland Revenue of Her Majesty or to Her Majesty's Customs or Post Office. Exceptions as to Revenue Cases.

 CXIV. Nothing

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Informations.

Act not to affect (except in certain Cases) Proceedings in Informations under Revenue or Stamp Acts. 5 Vict. c. 24. s. 78.

CXIV. Nothing in this Act contained, except the Provision empowering any One of the said Divisional Justices to hear and determine Offences now punishable on summary Conviction by or before Two or more Justices of the Peace, shall extend or be deemed or construed to extend to affect or alter any Proceedings before Justices of the Peace for the Recovery or Condemnation of any Penalties or Forfeitures incurred under any Act or Acts relating to the Revenue of Customs or Excise or Stamps, or to any Act or Thing done by any Officer of Customs or Excise or Stamps, but that all such Penalties and Forfeitures shall, except as aforesaid, be sued for, recovered, mitigated, and applied under the Enactments and Provisions of the several Acts relating to the said Revenues respectively.

Offences.

For preventing the keeping of Places for Bear-baiting, Cockfighting, &c. 5 Vict. c. 24. s. 8.

CXV. Every Person who shall be in possession of, or who shall lead, drive, or exhibit in any Street, Lane, Road, or other Thoroughfare within the said District, or who shall keep or use or act in the Management of any House, Room, Pit, or other Place within the said Police District for the Purpose of fighting or baiting Lions, Bears, Wolves, Badgers, Cocks, Dogs, or other such Animals, shall be liable to a Penalty of not more than *Five Pounds*, or, in the Discretion of the Justice, may be committed to the Common Gaol, with or without Hard Labour, for a Time not more than *One Calendar Month*, and such Justice may order such Animal, if the same shall be of a ferocious Nature, to be forthwith destroyed; and it shall be lawful for any Superintendent belonging to the Dublin Police, with such Constables as he shall think necessary, without Warrant, to enter any Premises kept or used for any of the Purposes aforesaid, and take into Custody all Persons who shall be found therein without lawful Excuse, and every Person so found shall be liable to a Penalty not more than *Forty Shillings*; and a Conviction under this Act of this Offence shall not exempt the Owner, Keeper, or Manager of any such House, Room, Pit, or Place from any Penalty or penal Consequences to which he may be liable for having kept and maintained the Nuisance thereby occasioned.

Regulations as to Coffee Shops or Cellars, &c. 1 Vict. c. 25. s. 21.

CXVI. No Shop, Room, Cellar, or Place of public Resort, where ready-made Coffee, Tea, or other Liquors are sold or consumed, within the said Police District, shall be kept open after the Hour of *Eleven* at Night during any Part of the Year, nor open before the Hour of *Four* in the Morning between *Lady Day* and *Michaelmas*, or before *Five* in the Morning between *Michaelmas* and *Lady Day*; and no Shop, Room, Cellar, or Place of public Resort, where any Refreshments or any Liquors not subject to any Duties of Customs or Excise are consumed, within the said Police District, shall be kept open

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Offences.

open after the Hour of *One* in the Morning or before the Hour of *Five* in the Morning; and if any such Shop, Room, Cellar, or Place shall be open within the Hours herein-before respectively prohibited, or being shut up, if any Person shall during those Hours respectively be found therein, except the Persons actually dwelling there, or having lawful Excuse for being there, or if Gaming shall be at any Time permitted or suffered therein, then the Master, Mistress, Waiter, or other Person having the Care, Government, or Management of such Shop, Room, Cellar, or Place, whether he or she be the real Owner or Keeper thereof or not, shall forfeit and pay any Sum not exceeding *Five Pounds* upon Conviction of any such Offence before any such Justice, or, at the Discretion of the said Justice, shall and may be imprisoned and kept to Hard Labour in the Common Gaol for any Space of Time not exceeding *One* Month: Provided always, that nothing herein contained shall apply to or affect any House duly licensed for the Sale of Wines and Spirituous Liquors; and that no such Conviction shall exempt the Owner, Keeper, or Manager of any such Shop, Room, Cellar, or Place from any Penalty or penal Consequence whereto he or she may be liable for keeping a disorderly House.

Penalty for offending herein.

Proviso.

Regulations respecting Public Houses to extend to other Houses of public Resort. London Police Act, 2 & 3 Vict. c. 47. s. 44. 5 Vict. c. 24. s. 7.

CXVII. Every Person who shall have or keep any House, Shop, Room, or Place of public Resort within the Metropolitan Police District, wherein Provisions, Liquors, or Refreshments of any Kind shall be sold or consumed (whether the same shall be kept or retailed therein or procured elsewhere), and who shall wilfully or knowingly permit Drunkenness or other disorderly Conduct in such House, Shop, Room, or Place, or knowingly suffer any unlawful Games or any Gaming whatsoever therein, or knowingly permit or suffer Prostitutes or Persons of notoriously bad Character to meet together and remain therein, or shall allow, permit, or suffer Music or Dancing in such Places as aforesaid or in Premises thereto belonging on Sundays, shall for every such Offence be liable to a Penalty of not more than *Five Pounds*: Provided always, that if the Offender be a Licensed Victualler, or licensed to sell Beer by Retail to be drunk on the Premises, this Enactment shall not be construed to exempt him from the Penalties or penal Consequences to which he may be liable for committing an Offence against the Tenor of the Licence to him granted.

Booths, &c. not to be erected except in lawful Fairs, &c.

CXVIII. Every Person who with Intent to exercise any Trade or Calling shall set up or place or begin or prepare to set up or place any Booth, Stall, Tent, or other temporary Erection, or bring any travelling Show Van or other such moveable Exhibition in or to any Place within the said Police District, not being a bonâ fide Racecourse, or lawful and established Fair, or Market regularly and properly held,

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Offences.

and who shall decline or neglect to remove the same when thereunto requested by any Constable, or who shall assist or be present at or take any Part in holding any unlawful Fair or Market at any such Place, and who shall not leave the same on being requested by any Constable, may be forthwith taken into Custody by any Constable, and shall be liable on Conviction by any Divisional Justice of any such Offence to a Penalty not exceeding *Ten Pounds*, and on such Refusal or Neglect, any Constable may take down or remove any such Booth, Stall, Tent, travelling Show Van, or Exhibition, and any Person who without lawful Authority in that Behalf shall hold or permit to be held on any Ground the Property of such Person any Fair or Market shall be liable on Conviction thereof by any Divisional Justice to a Penalty of *Fifty Pounds*.

Publicans prohibited from supplying Liquors to Persons under Sixteen Years of Age. London Police Act, 2 & 3 Vict. c. 47. s. 43. 5 Vict. c. 24. s. 6.

CXIX. Every Person licensed to deal in exciseable Liquors within the said Police District, who shall knowingly supply any Sort of distilled exciseable Liquor to any Boy or Girl apparently under the Age of *Sixteen* Years, to be drunk upon the Premises, shall be liable to a Penalty not more than *Twenty Shillings*, and upon Conviction of a Second Offence shall be liable to a Penalty not more than *Forty Shillings*, and upon Conviction of a Third Offence shall be liable to a Penalty not more than *Five Pounds*.

Penalty for obtaining Money by threatening Information. London Police Act, 3 & 4 Vict. c. 84. s. 11.

CXX. Any Person who shall obtain or endeavour to obtain any Sum of Money or other Reward from any Person by threatening directly or indirectly to lodge any Information or make any Complaint before any Justice or Justices for any Misdemeanor, or as an Inducement for forbearing to lay such Information or make such Complaint, shall, on Conviction of the Offence before any Divisional Justice, be liable to a Penalty of not more than *Ten Pounds*, or to be imprisoned for any Term not exceeding *Six* Months.

Money found with Vagrants and Beggars, how to be disposed of. Archbold (Eng.) pp. 390-392, Tit. Rogues and Vagabonds.

CXXI. Every Person wandering abroad or placing himself in any public Place, Street, Highway, Court, or Passage within the said District to beg or gather Alms, or causing or encouraging any Child to do so, may without Warrant be arrested by any of the said Constables, and upon being convicted of any such Offence before One of the said Divisional Justices, be committed to the Common Gaol, with or without Hard Labour, for any Time not exceeding *One Calendar Month;* and it shall be lawful for the Divisional Justice before whom any Person shall be so convicted to order that any Sum or Sums of Money found on the Person of such Vagrant or Beggar shall be handed to the Board of Superintendence of the Gaol in which such Beggar or Vagrant shall be confined, and that such Money, or so much of it as shall be sufficient for the Purpose, shall be appropriated to the Subsistence

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ence of such Vagrant or Beggar during such Imprisonment, returning the Residue (if any) to such Beggar or Vagrant on his Discharge. *Offences.*

Persons charged with uttering base Coin may be dealt with summarily.

CXXII. Any Person who shall be brought before any such Justice, charged with having had in his Possession any base and counterfeit Coin, with Intent knowingly and fraudulently to utter, put off, and pass the same, or who shall fraudulently and knowingly utter, put off, and pass any base and counterfeit Coin, and which base and counterfeit Coin shall be intended to represent the Queen's Current Coin, upon being duly convicted thereof in a summary Way by and before the said Justice, shall be liable to a Penalty not exceeding *Five Pounds* for each Offence so committed, or, at the Discretion of such Justice, shall be committed to the Common Gaol, there to be kept to Hard Labour for any Time not exceeding *Three* Months.

Impostors obtaining or soliciting Money by fabricated Declarations or Statements may be dealt with summarily.

CXXIII. If any Person in the said District shall, with Intent to defraud any other Person, wilfully forge or counterfeit the Signature of any other Person, or sign any false Name to any pretended Subscription List purporting to be for a charitable Purpose, or assume any false Name, or knowingly have in his Possession any such Subscription List or any Document with any forged or false Signature thereto, or wilfully publish any such Subscription List or Document, or any false Statements of pretended Disasters and Calamities, or make use of any false Pretence or false Representation whatsoever, with Intent fraudulently to procure any Sum of Money or other Thing, or by such Means shall obtain any Money or other Thing, such Person so offending, and being thereof convicted before any Divisional Justice at any of the said Police Courts, shall be liable to pay a Penalty not exceeding *Five Pounds*, or, in the Discretion of the said Justice, be imprisoned in the Common Gaol, with or without Hard Labour, for any Term not exceeding *Three* Calendar Months.

Framing a false Bill of Parcels a Misdemeanor. 5 Vict. c. 24.

CXXIV. Any Person who shall commit any of the next following Offences within the said District shall on Conviction thereof be deemed guilty of a Misdemeanor; (that is to say,)

Every Person who for the Purpose of protecting or preventing anything whatsoever from being seized within the Police District on Suspicion of its being stolen or otherwise unlawfully obtained, or of preventing the same from being produced or used as Evidence concerning any Felony or Misdemeanor committed or supposed to be committed within the Police District, shall frame or cause to be framed any Bill of Parcels containing any false Statement in regard to the Name or Abode of any alleged Vendor, the Quantity or Quality of any such Thing, the Place whence or the Conveyance by which the same was furnished, the

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Offences.

Price agreed upon or charged for the same, or any other Particular, knowing such Statement to he false, or who shall fraudulently produce such Bill of Parcels knowiug the same to have been fraudulently framed:

Cutting Ropes, Cables, &c. 5 Vict. c. 24. s. 18.

Every Person who shall unlawfully cut, damage, or destroy any of the Ropes, Cables, Cordage, Tackle, Headfasts, or other the Furniture of or helonging to any Ship, Boat, or Vessel lying in the River Liffey, Harhour of Dublin, or Harhour of Kingstown, or in any of the Docks or Creeks adjacent thereto respectively, with Intent to steal or otherwise unlawfully ohtaiu the same or any Part thereof:

Possessing Instruments for unlawfully carrying away Wine, &c. 5 Vict. c. 24. s. 20.

Every Person who shall be found within the Police District in or upon any Canal, Dock, Warehouse, Wharf, Quay, or Bank, or on board any Ship or Vessel, having in his Possession any Tuhe or other Instrument for the Purpose of unlawfully obtaining any Wine, Spirits, or other Liqnors, or having in his or her Possession any Skin, Bladder, or other Material or Utensil for the Purpose of unlawfully using, secreting, or carrying away auy such Wine, Spirits, or other Liqnors, and any Person who shall attempt unlawfully to ohtain any such Wine, Spirits, or other Liquor:

Piercing Casks, opening Packages, &c. 5 Vict. c. 24. s. 21.

Every Person who shall within the Police District hore, pierce, hreak, cut opeu, or otherwise injure any Cask, Box, or Package containing Wine, Spirits, or other Liquors on hoard any Ship, Boat, or Vessel, or in or upon any Warehouse, Wharf, Quay, or Bank, with Intent feloniously to steal or otherwise unlawfully ohtain any Part of the Contents thereof, or who shall unlawfully drink or wilfully spill or allow to run waste any Part of the Contents thereof:

Breaking Casks, &c. with Intent to spill Contents. 5 Vict. c. 24. s. 22.

Every Person who shall within the Police District wilfully cause to he hroken, pierced, started, cut, torn, or otherwise injured any Cask, Chest, Bag, or other Package containing or prepared for containing any Goods while on board of any Barge, Lighter, or other Craft lying in the said River or either of the said Harhours, or any Dock, Creek, Quay, Wharf, or Landing Place adjacent to the same, or in the Way to or from any Warehouse, with Intent that the Contents of such Package, or any Part thereof, may he spilled or dropped from such Package.

Aggravated Assaults on Females, &c. Act 16 & 17 Vict. c. 30. s. 1. extended to this Act.

CXXV. Section One of the Act of the Sixteenth and Seventeenth Years of Her Majesty, Chapter Thirty, is herehy extended to the said Police District, anything in Sectiou Teu of the said Act to the contrary notwithstanding; and the Word "Metropolis" in the said Section One shall be held to mean the said Police District.

CXXVI. Any

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Offences.

Punishment for certain Offences.

CXXVI. Any Person who shall commit any of the next following Offences within the said Police District shall, on Conviction thereof, be liable to the Punishment herein-after specified in each Case; (that is to say,)

Assaulting Constables. 6 & 7 W. 4. c. 29. s. 9.

Any Person who shall unlawfully assault or resist any Constable or other Person belonging to the said Police Force in the Execution of his Duty, or shall aid or incite any Person so to assault or resist any such Constable or other Person, or who shall assault or beat any other Person, shall be liable to a Fine not exceeding the Sum of *Five Pounds*, or to be imprisoned for a Term not exceeding *Three* Months:

14 & 15 Vict. c. 92. s. 2.

Assaults, with Intent to prevent Sale of Corn, &c. 14 & 15 Vict. c. 92.

Any Person who shall assault or beat or use any other Violence to any other Person with Intent to deter him from buying or selling any Corn or other Agricultural or Garden Produce in any Market or other Place, or to stop the Conveyance of same, shall be liable to a Fine not exceeding the Sum of *Ten Pounds*, or to be imprisoned for a Term not exceeding *Three* Months.

Not to apply to any Assault where a Title to Lands, &c. is in question.

CXXVII. Nothing in this Act contained shall authorize any Justice to hear and determine in a summary Way any Case of Assault in which any Question shall arise as to the Title to any Lands, Tenements, or Hereditaments, or any Interest therein or accruing thereupon, or as to any Bankruptcy or Insolvency, or any Execution under the Process of any Superior Court of Justice.

Justice may order Punishment in following Cases:

CXXVIII. Any Person found committing any of the next following Offences within the said Police District in respect to the malicious Injury of Property may be immediately apprehended, without a Warrant, by any Superintendent, Inspector, or other Constable of the said District, or by the Owner of the Property in respect of which the Offence shall have been committed, or by the Servant of such Owner, or by any other Person authorized by such Owner, or by any other Person in care or charge of such Property, and may be forthwith taken before any Divisional Justice, to be dealt with according to Law; and such Person shall be liable to the Punishment herein-after specified in each Case; (that is to say,)

Journeymen, &c. for spoiling Goods or Work. 14 & 15 Vict. c. 92. s. 3.

Any Artificer, Workman, Journeyman, Apprentice, Servant, or Labourer who shall wilfully and unlawfully damage, spoil, or destroy any Goods, Wares, Work, or Materials committed to his Care or Charge, without the Consent of the Person by whom he shall be hired, retained, or employed, the Injury done being under the Value of Five Pounds, shall pay to the Party aggrieved such reasonable Amount of Compensation for the Injury done as the Justice before whom he shall be brought shall see fit, and shall also be liable to a Fine not exceeding the Sum of *Forty Shillings*, or to be imprisoned for a Term not exceeding *Two* Months:

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Offences.

Destroying, &c. any Fruit or vegetable Production in a Garden, &c. 14 & 15 Vict. c. 92. s. 3.

Any Person who shall unlawfully and maliciously destroy, or damage with Intent to destroy, any Plant, Fruit, or vegetable Production growing in any Garden, Orchard, Nursery Ground, Shrubbery, Pleasure Ground, Hot House, Green House, or Conservatory, shall pay to the Party aggrieved such reasonable Amount of Compensation for the Injury done as the Divisional Justice before whom such Case shall be brought shall see fit, and shall also be liable to a Fine not exceeding the Sum of *Twenty Pounds*, or to be imprisoned for any Term not exceeding *Six* Months:

Destroying, &c. vegetable Productions not growing in Gardens, &c. First Offence. 14 & 15 Vict. c. 92. s. 3.

Second Offence. 14 & 15 Vict. c. 92. s. 3.

Any Person who shall unlawfully and maliciously destroy, or damage with Intent to destroy, any Plant, Fruit, or cultivated vegetable Production growing in any Land, open or enclosed, not being a Garden, Orchard, or Nursery Ground, shall for the First Offence pay to the Party aggrieved such reasonable Amount of Compensation for the Injury done as the Divisional Justice before whom the Case shall be brought shall see fit, and shall also be liable to a Fine not exceeding the Sum of *Forty Shillings*, or to be imprisoned for a Term not exceeding *One Month*, and for any Second or subsequent like Offence shall, in addition to any like Compensation, be liable to a Fine not exceeding the Sum of *Five Pounds*, or to be imprisoned for a Term not exceeding *Six* Months:

Destroying or damaging Trees, Shrubs, &c. of any Value under 5*l*. 14 & 15 Vict c. 92. s. 3.

Any Person who shall between Sunrise and Sunset unlawfully and maliciously cut, break, bark, root up, or otherwise destroy or damage the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, the Injury done being under the Value of Five Pounds, shall pay to the Party aggrieved such reasonable Amount of Compensation as the Divisional Justice before whom such Case shall be brought shall see fit, and shall also be liable to a Fine not exceeding the Sum of *Five Pounds*, or to be imprisoned for a Term not exceeding *Six* Months:

Destroying, &c. any Fence, Wall, Stile, or Gate. 14 & 15 Vict. c. 92. s. 3.

First Offence.

Second Offence.

Any Person who shall unlawfully and maliciously damage or destroy any Fence of any Description whatsoever, or any Wall, Stile, or Gate, or any Part thereof respectively, shall for the First Offence pay to the Party aggrieved such reasonable Amount of Compensation for the Injury done as the said Divisional Justice shall see fit, and shall also be liable to a Fine not exceeding the Sum of *Five Pounds*, or to be imprisoned for a Term not exceeding *Six* Months; and for any Second or subsequent Offence be shall, in addition to any Compensation ordered, be liable to a Fine not exceeding the Sum of *Ten Pounds*, or to be imprisoned for a Term not exceeding *Twelve* Months:

Obstructing Export of Agricultural Produce.

Any Person who shall unlawfully stop or seize upon any Waggon, Cart, or other Carriage, or Horse, loaded with Corn, Potatoes,

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toes, or other Provisions, in or on the Way to or from any Market or Place of shipping the same, or shall maliciously damage or destroy the same, or any Part thereof, or the Harness of the Horses drawing the same, or shall unlawfully take off, drive away, kill, or wound any of such Horses in order to stop the same, or shall, by cutting the Sacks or otherwise, scatter or throw abroad such Corn, Potatoes, or other Provisions, or shall take and carry away or damage the same or any Part thereof, or shall distribute the same, or compel the Owner or his Servant, or the Carrier of the same, to distribute or otherwise depart from the Possession thereof or any Part thereof contrary to his Consent, shall be liable to a Fine not exceeding the Sum of *Ten Pounds*, or to be imprisoned for a Term not exceeding *Six* Months:

Offences. 14 & 15 Vict. c. 92. s. 5.

Any Person who shall unlawfully and maliciously break any Pane of Glass in the Windows of any Workhouse of a Poor Law Union, or damage and destroy any of the Furniture, Clothes, or other Property of the Guardians of the Poor of any Poor Law Union, the Injury done being under the Value of *Forty Shillings*, shall be liable to a Fine not exceeding the Sum of *Forty Shillings*, or be imprisoned with or without Hard Labour for a Term not exceeding *Three* Months:

Breaking Windows or injuring other Property of a Workhouse. 14 & 15 Vict. c. 92. s. 3.

Any Person who shall unlawfully and maliciously commit any Damage, Injury, or Spoil, to or upon any Real or Personal Property whatsoever, either of a public or private Nature, for which no Punishment is already otherwise herein provided, the Injury done being under the Value of Five Pounds, shall pay to the Party aggrieved such reasonable Amount of Compensation for the Injury done as the said Divisional Justice shall see fit, and shall also be liable to a Fine not exceeding the Sum of *Forty Shillings*, or to be imprisoned for a Term not exceeding *Three* Months:

Damage to Property in any Case not previously provided for (where Value under 5*l.*) 14 & 15 Vict. c. 92. s. 3.

And every Punishment and Forfeiture so imposed on any Person maliciously committing any of such Offences against Property shall equally apply and be enforced, whether the Offence shall be committed from Malice conceived against the Owner of the Property in respect of which it shall be committed, or otherwise: Provided always, that nothing herein contained shall extend to any Case where the Party offending acted under a fair and reasonable Supposition that he had a Right to do the Act complained of, nor to any Trespass, not being wilful and malicious, committed in hunting, fishing, or the Pursuit of Game, but every such Trespass shall be punishable in the same Manner as before the passing of this Act.

Malice against the Owner not essential to any of such Offences, but not to apply to unintentional Trespasses. 14 & 15 Vict. c. 92. s. 3.

CXXIX. Any Person found committing any of the next following Offences in respect to the stealing or damaging with Intent to steal Property

Justices may order Punishment

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Offences.

in the following Cases:

Property may be immediately apprehended without a Warrant by any Superintendent or Inspector of Police or other Constable, or by the Owner of the Property with respect to which the Offence shall be committed, or by the Servant of such Owner, or any Person authorized by such Owner, and such Offender may be forthwith taken before any Divisional Justice to be dealt with according to Law, and such Person shall be liable to the Punishment herein-after specified in each Case:

Hunting, &c. Deer in any enclosed Ground. 14 & 15 Vict. c. 92. s. 5.

Any Person who shall unlawfully and wilfully course, hunt, snare, or carry away, or kill or wound or attempt to kill or wound, any Deer kept or being in any Park, Paddock, or enclosed Land wherein Deer shall be usually kept, shall be liable to a Fine not exceeding *Fifteen Pounds*, or to be imprisoned for a Term not exceeding *Three* Months:

Stealing Dogs or Beasts or Birds ordinarily kept in Confinement, and not the Subjects of Larceny. 14 & 15 Vict. c. 92. s. 5.

Any Person who shall steal any Dog or any Beast or Bird ordinarily kept in a State of Confinement, not being the Subject of Larceny at Common Law, or in whose Possession or on whose Premises the same or the Skin or Plumage thereof shall be found by virtue of a Search Warrant or otherwise, such Person knowing that the said Dog, Beast, or Bird has been stolen, or that the Skin is the Skin of a stolen Dog or Beast, or that the Plumage is the Plumage of a stolen Bird, shall for the First Offence pay the Value of the Dog, Beast, or Bird to the Party aggrieved, and shall also be liable to a Fine not exceeding *Ten Pounds*, or to be imprisoned for a Term not exceeding *Six* Months; and for a Second or subsequent Offence shall, in addition to any such Compensation, be liable to a Fine not exceeding *Twenty Pounds*, or to be imprisoned for a Term not exceeding *Twelve* Months:

Stealing, &c. any live or dead Fence, wooden Stile, or Gate. 14 & 15 Vict. c. 92. s. 5. First Offence. Subsequent Offence.

Any Person who shall steal or damage with Intent to steal any Part of any live or dead Fence, or any wooden Post, Pale, or Rail set up or used as a Fence, or any Stile or Gate, or any Part thereof respectively, shall for the First Offence pay to the Party aggrieved the Value of the Article or Articles so stolen or the Amount of the Injury done, and shall also be liable to a Fine not exceeding *Five Pounds*, or to be imprisoned for a Term not exceeding *Three* Months; and for any subsequent Offence shall, in addition to any such Compensation, be liable to a Fine not exceeding *Ten Pounds*, or to be imprisoned for a Term not exceeding *Six* Months:

Stealing Trees, Shrubs, &c. under the Value of 5*l.*, growing anywhere. 14 & 15 Vict. c. 92. s. 5. First Offence.

Any Person who shall steal, or shall cut, break, root up, or otherwise destroy or damage with Intent to steal the whole or any Part of any growing Tree, Sapling, Shrub, or Underwood, or any growing Fruit or vegetable Production, or any growing cultivated Root or Plant, shall, in case the Value of the Article or Articles stolen or the Amount of the Injury done shall not exceed Five Pounds, for the First Offence pay to the Party aggrieved

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aggrieved the Value of the Article or Articles stolen or the Amount of the Injury done, and shall also be liable to a Fine not exceeding *Five Pounds*, or to be imprisoned for any Period not exceeding *Three* Months; and for any Second or subsequent Offence of the same Kind shall, in addition to any such Compensation, be liable to a Fine not exceeding *Ten Pounds*, or to be imprisoned for a Term not exceeding *Six* Months:

Offences. 14 & 15 Vict. c. 92. s. 5. Second Offence.

Any Person who shall steal or damage with Intent to steal the whole or any Part of any Tree, Sapling, Shrub, or Underwood, or any cultivated Plant, Root, Fruit, or vegetable Production severed from the Soil, or any Turf or Peat manufactured or partly manufactured for Fuel, in case the Value of such Article or Articles stolen or the Amount of the Injury done shall not exceed Forty Shillings, shall for the First Offence pay to the Party aggrieved the Value of the Article or Articles so stolen, or the Amount of the Injury done, and shall also be liable to a Fine not exceeding *Five Pounds*, or to be imprisoned for a Term not exceeding *Three* Months; and for a Second or subsequent Offence of the same Kind shall, in addition to such Compensation, be liable to a Fine not exceeding *Ten Pounds*, or to be imprisoned for a Term not exceeding *Six* Months:

Stealing Trees, Plants, Vegetables, &c. severed from the Soil, or Turf Fuel, not exceeding 40*s.* in Value. First Offence. Second Offence. 14 & 15 Vict. c. 92. s. 5.

Any Artificer, Workman, Journeyman, Apprentice, Servant, or Labourer, who shall unlawfully dispose of or retain in his Possession, without the Consent of the Person by whom he shall be hired, retained, or employed, any Goods, Wares, Work, or Materials committed to his Care or Charge, the Value of such Goods, Wares, Work, or Materials not exceeding the Sum of Five Pounds, shall pay to the Party aggrieved such Compensation as such Justice shall think reasonable, and shall also be liable to a Fine not exceeding *Forty Shillings*, or to be imprisoned for a Term not exceeding *One Month:*

Workman, &c. making away with Goods committed to his Care. 14 & 15 Vict. c. 92. s. 5.

And in every such Case any such Articles of stolen Property shall, by Order of such Justice by whom the Case shall be heard and determined, be delivered over to the rightful Owner if known, or if the right Owner shall not be known the same shall be sold, and the Proceeds hereof applied in like Manner as any Penalties imposed by such Justices shall be by Law applicable.

Justice may order Restitution of such Property.

CXXX. Every Person who wilfully sets or causes to be set on fire any Chimney or other Matter or Thing within the said District shall be liable to a Penalty not exceeding *Five Pounds*.

Setting Chimneys on fire. *See* Towns Police Clauses Act, 10 & 11 Vict. c. 89. s. 30.

CXXXI. Any Person who shall wilfully trespass in any Field, Garden, Pleasure Ground, Wood, or Plantation, or other Enclosure, and shall neglect or refuse to leave any such Place after he shall have been

Trespass on Fields, &c. after Warning; 14 & 15 Vict. c. 92. s. 8.

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Offences.

been warned to do so by the Owner, or by the Caretaker or Servant of the Owner, or by any Person authorized in that Behalf by the Owner, or who shall repeat any such Trespass within *One Month* from the Time when such Warning shall have been so given him, shall, on Conviction thereof, be liable to a Fine not exceeding *Ten Shillings;* and in default of Payment thereof at such Time as the Justice or Justices shall direct shall be liable to be imprisoned for a Term not exceeding *One Week;* and any Person so wilfully trespassing may be removed by such Owner, Caretaker, Servant or authorized Person, or on the Request of such Owner, Caretaker, Servant or authorized Person, by any Constable of the said Police Force: Provided always, that nothing herein contained shall extend to any Case where the Party trespassing acted under a fair and reasonable Supposition that he had a Right to go into or upon any such Place, nor to any Trespass, not being wilful or malicious, committed in hunting, fishing, or the pursuit of Game, but every such Trespass shall be punishable in the same Manner as before the passing of this Act: Provided also, that nothing herein contained shall prevent any Person from maintaining any Civil Action or Suit for any such Trespass instead of proceeding under this Act.

but not to extend to certain Cases of Trespass,

and not to prevent Right of Civil Action.

Punishment for indecently exposing Person.

CXXXII. Any Superintendent, Inspector, or Constable is hereby authorized without Warrant to arrest any Person who shall be charged by any other Person with the Offence of having in or near any House, Street, Lane, Common Highway, or other Place within the said District wilfully and indecently exposed his naked Person for any Space of Time in the Presence of any other Person, with the manifest Intent to insult or annoy Females, and every such Person shall be liable to a Penalty of not more than *Ten Pounds* for every such Offence, or may be committed, if the Justice before whom he shall be convicted shall think fit, instead of inflicting on him any pecuniary Penalty, to the Common Gaol, with or without Hard Labour, for any Time not more than *Six* Months.

Persons found undressing in an exposed Place may be arrested without Warrant, and fined or committed.

CXXXIII. It shall be lawful for any Inspector or Constable of the Police to arrest without Warrant any Person who shall be found undressing in a Place exposed to public View, within the Distance of *Two hundred* Yards of any public Thoroughfare or inhabited House within the said District after the Hour of *Eight* o'Clock in the Forenoon of any Day, or before the Hour of *Six* o'Clock in the Afternoon, within the View of Persons passing or repassing, residing or inhabiting, or who shall swim or wade, or in any Boat or other Vessel sail or row, within the Space of *Two hundred* Yards of any Part of the Sea in the said District which shall be frequented or made use of by Females for the Purpose of bathing, so as to insult, disturb, or annoy such Females;

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Females; and every such Person shall be liable to a Penalty of not more than *Ten Shillings* for every such Offence; or, if the Justice convicting shall think fit, instead of inflicting any pecuniary Penalty may be committed to the Common Gaol for any Time not more than *Seven* Days. *Offences*

CXXXIV. Every Person who releases or attempts to release any Cattle from any Pound or Place where the same are impounded within the said Police District under the Authority of this Act, or who pulls down, damages, or destroys the same Pound or Place, or any Part thereof, with intent to procure the Release of such Cattle, shall, upon Conviction of such Offence before any Divisional Justice, be committed by him to the Common Gaol for any Time not exceeding *Three* Months. Persons guilty of Pound Breach to be committed for Three Months. Towns Police Clauses Act, 1847. 10 & 11 Vict. c. 89. s. 26.

CXXXV. Nothing herein contained shall be construed to prevent any Person from being indicted for any indictable Offence made punishable on summary Conviction by this Act, or to relieve any Person from being liable under any other Act or Acts to any other or higher Penalty or Punishment than is provided for such Offence by this Act, so as (nevertheless) that no Person be punished twice for the same Offence. Offenders may be either indicted or convicted summarily. 5 Vict. c. 24. s. 37.

CXXXVI. If any Person who shall take any Oath in pursuance of this Act shall wilfully swear falsely therein and shall be thereof lawfully convicted, any such Person so offending shall for any such Offence incur and suffer such Penalties, Pains, and Disabilities as Persons convicted of wilful and corrupt Perjury are or shall be liable to by any Law then in force in Ireland; and if any Person shall procure or suborn any other Person to take such false Oath and shall be thereof convicted (whether the Person having taken such false Oath shall be previously convicted or not), any such Person so procuring or suborning shall for every such Offence incur and suffer such Penalties, Forfeitures, Pains, and Disabilities as Persons convicted of Subornation of Perjury are or shall be liable to by any Law then in force in Ireland. Penalty on false Oaths. 48 G. 3. c. 140. s. 124.

CXXXVII. For every Misdemeanor or other Offence against this Act for which no special Penalty is appointed, the Offender shall, at the Discretion of the Justice before whom the Conviction shall take Place, either be liable to a Penalty of not more than *Five Pounds*, or be imprisoned for any Time not more than *One* Calendar Month in any Gaol within the Police District. Offences for which no Penalty is appointed. 5 Vict. c. 24. s. 36.

CXXXVIII. Every such Justice shall be empowered summarily to convict any Person charged with any Offence against this Act on the Oath Offences how to be tried.

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Offences.

5 Vict. c. 24. s. 38.

Oath of One or more Witnesses or by his own Confession, and to award the Penalty or Punishment herein provided for such Offence, and the Matter of every such Complaint shall be heard and determined by One or more of the Divisional Justices at one of the said Police Courts.

Stolen Goods.

Persons having stolen Goods to produce them on Notice, and state from whom received. 48 G. 3. c. 140. s. 51.

CXXXIX. As often as any Person residing within the said District shall have in his Possession any Goods, and after receiving a Notice of such Goods being stolen with a Description thereof shall wilfully omit or refuse to make Discovery to the Divisional Justices of the Division in which such Person shall reside of so having the same, and of the Person or Persons from whom such Person received them, or shall, on being duly required by Notice in Writing, signed by any of the said Divisional Justices, neglect or omit to attend at the Police Court at such Time as shall be mentioned in such Notice, or refuse to be examined concerning the same; or if such Person upon Requisition made by any of the Constables to produce such Goods shall omit or refuse so to do, every Person so offending shall upon being convicted thereof forfeit a Sum not exceeding *Twenty Pounds* and the Value of such Goods, or, at the Discretion of such Justice, shall be committed to the Common Gaol, there to be kept, with or without Hard Labour, for any Time not exceeding *Six* Months.

Persons to account for having certain Articles, and on failing so to do, liable to Punishment in following Cases: 14 & 15 Vict. c. 92. s. 4.

CXL. If any Person within the said Police District in whose Possession or on whose Premises, with his Knowledge, any of the Articles of Property herein-after mentioned shall be found in the Manner herein-after mentioned, shall not satisfy the Divisional Justice before whom he shall be brought that he came lawfully by the same, or that the same was on his Premises without his Knowledge or Assent, it shall be lawful for such Justice to hear and determine such Case; and if such Person shall be convicted of any of the next following Offences he shall be liable to the Punishment herein-after specified in each Case; (that is to say,)

Persons in possession of shipwrecked Goods. 14 & 15 Vict. c. 92. s. 4.

Any Person in whose Possession or on whose Premises, with his Knowledge, any Goods, Merchandise, or Articles of any Kind belonging to any Ship or Vessel in distress, or wrecked, stranded, or cast on shore, shall be found by virtue of a Search Warrant or otherwise, shall be liable to a Fine not exceeding *Fifty Pounds*, or to be imprisoned for a Term not exceeding *Twelve* Months:

Shipwrecked Goods offered for Sale. 14 & 15 Vict. c. 92. s. 4.

Any Person who shall offer or expose for Sale any Goods, Merchandise, or Articles whatsoever which shall have been unlawfully taken, or reasonably suspected to have been taken, from any Ship or Vessel in Distress, or wrecked, stranded, or cast on shore as aforesaid, shall pay such Sum as the said Justice shall fix as a reasonable Reward to the Person who shall have seized the same, and

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and shall also be liable to a Fine not exceeding *Thirty Pounds*, or to be imprisoned for a Term not exceeding *Six* Months; and in every such Case any Person to whom the same shall be offered for Sale, or any Officer of the Customs or Excise, or Superintendent, Inspector, or other Constable of Police, may lawfully seize the same, and with all convenient Speed carry the same or give Notice of such Seizure to any Divisional Justice: *Stolen Goods.* Officers of Customs, &c. may seize the Goods.

Any Person in whose Possession or on whose Premises, with his Knowledge, the Carcase of any Sheep, Lamb, or Deer, or the Head, Skin, or other Part thereof, or any Venison, Mutton, Fat, Skin, or Fleece of such Deer, Sheep, or Lamb, shall be found by virtue of any Search Warrant or otherwise, shall pay to the Party aggrieved the Charges previous to and attending his Conviction, and shall also be liable to a Fine not exceeding *Five Pounds*, or to be imprisoned for a Term not exceeding *Three* Months: Persons in possession of stolen Mutton, &c. 14 & 15 Vict. c. 92. s. 4.

Any Person in whose Possession or on whose Premises, with his Knowledge, the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, or any Part of any live or dead Fence, or any Post, Pale, Rail, Stile, or Gate, or any Part thereof, being of the Value of Two Shillings at the least, shall be found by virtue of any Search Warrant or otherwise, shall pay to the Party aggrieved the Value of the Article or Articles so found, and shall also be liable to a Fine not exceeding *Forty Shillings*, or to be imprisoned for a Term not exceeding *One Month*. Persons in possession of stolen Wood. 14 & 15 Vict. c. 92. s. 4.

CXLI. In every Case where any such Articles shall be of a perishable Nature, it shall be lawful for such Justice to direct that the same shall be delivered over to such Person as he or they shall be clearly satisfied to be the rightful Owner thereof; or if the rightful Owner shall not be known, that the same shall be sold, and the Proceeds thereof applied in like Manner as any Penalties imposed by any such Justice shall be by Law applicable: Provided always, that if any Person shall not under the Provisions last aforesaid be liable to Conviction, then, for the Discovery of the Person who actually stole or killed such Articles of Property, it shall be lawful for such Justice, at his Discretion, as the Evidence given and the Circumstances of the Case shall require, to summon before him any and every Person through whose Hands such Articles of Property or any Part thereof shall appear to have passed; and if the Person from whom the same shall have been first received, or any Person who shall have had Possession thereof, shall not satisfy such Divisional Justice that he came lawfully by the same, he shall be liable to the like Punishment as is herein-before provided in each such Case. Justice may order Restitution of stolen Property. 14 & 15 Vict. c. 92. s. 4. In case they are not convicted, Justice may summon other Persons.

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Stolen Goods.

Party by whom stolen Goods are received to be examined by Divisional Justice. 5 Vict. c. 24. s. 55.

CXLII. When any Person shall be brought before any Divisional Justice charged with having anything stolen or unlawfully obtained, and shall declare that he received the same from some other Person, or that he was employed as a Carrier, Agent, or Servant to convey the same for some other Person, such Justice is hereby authorized and required to cause every such Person, and also, if necessary, every former or pretended Purchaser, or other Person through whose Possession the same shall be alleged to have passed, to be brought before him and examined, and to examine Witnesses upon Oath touching the same; and if it shall appear to such Justice that any Person shall have had Possession of such Thing, and had reasonable Cause to believe the same to have been stolen or unlawfully obtained, every such Person shall be deemed guilty of a Misdemeanor, and shall be liable to a Penalty of not less than *Five Pounds*, or, in the Discretion of the Justice, may be imprisoned in any Gaol within the Police District, with or without Hard Labour, for any Time not exceeding *Three* Calendar Months.

Persons convicted of having or conveying stolen Goods liable to Penalty or Imprisonment. 5 Vict. c. 24. s. 53.

CXLIII. Every Person who shall be brought before any of the Divisional Justices charged with having in his Possession, or on his Premises, with his Knowledge, or conveying in any Manner anything which may be reasonably suspected of being stolen or unlawfully obtained, and who shall not give an Account to the Satisfaction of such Justice how he came by the same, shall be deemed guilty of a Misdemeanor, and on Conviction thereof shall be liable to a Penalty of not more than *Five Pounds*, or, in the Discretion of the Justice, may be imprisoned in any Gaol within the Police District, with or without Hard Labour, for any Time not exceeding *Three* Calendar Months.

Power to order Delivery of stolen Goods to Owner. 5 Vict. c. 24. s. 56.

CXLIV. If any Goods shall be stolen or unlawfully obtained from any Person, or, being lawfully obtained, shall be unlawfully deposited, pawned, pledged, sold, or exchanged, and Complaint shall be made thereof to any of the Divisional Justices, and that such Goods are in the Possession of any Broker, Dealer in Marine Stores, or other Dealer in Second-hand Property, or of any Person who shall have advanced Money upon the Credit of such Goods within the Police District, it shall be lawful for such Justice to issue a Summons or Warrant for the Appearance of such Broker or Dealer, and for the Production of the Goods, and to order such Goods to be delivered up to the Owner thereof, either without any Payment, or upon Payment of such Sum and at such a Time as the Justice shall think fit; and every Broker or Dealer who, being so ordered, shall refuse or neglect to deliver up the Goods, or who shall dispose of or make away with the same after Notice that such Goods were stolen or unlawfully obtained

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Stolen Goods.

obtained as aforesaid, shall forfeit to the Owner of the Goods the full Value thereof, to be determined by the Justice: Provided always, that no such Order shall bar any such Broker or Dealer from recovering Possession of such Goods by Suit or Action at Law from the Person into whose Possession they may come by virtue of the Justice's Order.

Power to order Delivery of Possession of Goods charged to have been stolen or fraudulently obtained and in Custody of Constables. 5 Vict. c. 24. s. 57.

CXLV. If any Goods or Money charged to be stolen or fraudulently obtained shall be in the Custody of any Constable by virtue of any Warrant, or in prosecution of any Charge of Felony or Misdemeanor in regard to the obtaining thereof, and the Person charged with stealing or obtaining Possession as aforesaid shall not be found, or shall have been summarily convicted or discharged, or shall have been tried and acquitted, or if such Person shall have been tried and found guilty, it shall be lawful for any Divisional Justice to make an Order for the Delivery of such Goods or Money to the Party who shall appear to be the rightful Owner thereof, or, in case the Owner cannot be ascertained, then to make such Order with respect to such Goods or Money as to such Justice shall seem meet: Provided always, that no such Order shall be any Bar to the Right of any Person to sue the Party to whom such Goods or Money shall be delivered, and to recover such Goods or Money from him by Action at Law.

On Suspicion of Goods being stolen or unlawfully obtained, Divisional Justices may grant Search Warrants. 5 Vict. c. 24. s. 54.

CXLVI. If Information shall be given on Oath to any of the Divisional Justices that there is reasonable Cause for suspecting that any shipwrecked Goods, or anything stolen or unlawfully obtained is concealed or lodged in any Dwelling House or other Place, it shall be lawful for such Justice, by Warrant under his Hand directed to any Constable, to cause every such Dwelling House or other Place to be entered and searched at any Time of the Day or by Night, if Power for that Purpose be given by such Warrant; and the said Justice, if it shall appear to him necessary, may empower such Constable, with such Assistance as may be found necessary, such Constable having previously made known such his Authority, to use Force for the effecting of such Entry, whether by breaking open Doors or otherwise; and if upon Search thereupon made any such Thing shall be found, then to convey the same before a Justice, or to guard the same on the Spot until the Offenders are taken before a Justice, or otherwise dispose thereof in some Place of Safety, and moreover to take into Custody and carry before the said Justice every such Person found in such House or Place, who shall appear to have been privy to the Deposit of any such Thing, knowing or having reasonable Cause to suspect the same to have been stolen or otherwise unlawfully obtained; and any Person to whom any such Property shall be offered to be sold, pawned, or delivered, if he shall have reasonable Cause to suspect that any such Offence has been committed

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Stolen Goods.

committed on or with respect to such Property, is hereby authorized, and, if in his Power, is required to apprehend, without a Warrant, and forthwith to carry before a Divisional Justice, the Party offering the same, together with such Property, to be dealt with according to Law.

Receivers shall be punishable as original Offenders. 14 & 15 Vict. c. 92.

CXLVII. Where the stealing or taking of any Property whatsoever is punishable by this Act, any Person who shall receive any such Property, knowing the same to be unlawfully come by, shall, on Conviction thereof before a Divisional Justice, be liable, for every First, Second, or subsequent Offence of receiving the same, to the same Forfeiture and Punishment to which a Person guilty of a First, Second, or subsequent Offence of stealing or taking such Property is by this Act made liable.

Nuisances.

Beasts, Swine, &c. wandering, may be impounded and Owner fined. 14 & 15 Vict. c. 92. ss 10. & 19.

CXLVIII. It shall be lawful for any Person whatsoever to seize and impound, or cause to be seized and impounded, any Swine or Beasts which shall be found wandering through the Streets, Lanes, Passages, or other Places of public Thoroughfare within the said District; and if the Name and Residence of the Owner be known, it shall be lawful for any of the said Divisional Justices to fine such Owner of such Swine or Beast any Sum not exceeding *Two Shillings;* and in case any such Penalty and Expenses of impounding and detaining the same, when it shall be so impounded, shall not be paid within *Three* Days after imposing such Fine, or after impounding the same, to cause such Swine or Beast to be sold by Public Auction, and out of the Money arising from the Sale thereof to pay such Penalty, rendering the Overplus (if any) to the Owner if known, due Notice having been previously given of such Sale, in which shall be inserted the Name of the Place and Parish where such Swine or Beast was seized, which Notice shall be posted up in some conspicuous Places in the Parish where such Swine or Beast was seized, and at the Place where impounded, *Forty-eight* Hours at the least before the Time of Sale.

Penalty on Persons committing any of the Offences herein named.

CXLIX. Every Person who in any Street, Lane, Passage, or Place of public Thoroughfare within the said Police District, to the Obstruction, Annoyance, or Danger of the Residents or Passengers, commits any of the following Offences, shall be liable to a Penalty not exceeding *Forty Shillings* for each Offence, or, in the Discretion of the Justice before whom he is convicted, may be committed to Prison, there to remain for a Period not exceeding *Fourteen* Days; and any Constable or other Officer appointed by virtue of this Act shall take into Custody, without Warrant, and forthwith convey before a Justice, any Person who within his View commits any such Offence; (that is to say,)

Every

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Nuisances.

Every Person who by Negligence or Ill-usage in driving Cattle shall cause any Miscbief to be done by such Cattle, or who shall in anywise misbehave himself in the driving, Care, or Management of such Cattle; and also every Person, not being hired or employed to drive such Cattle, who shall wantonly and unlawfully pelt, drive, or hunt any such Cattle: Negligent Driving of Cattle.

Every Person who shall ride or drive furiously, or so as to endanger the Life or Limb of any Person, or to the common Danger of the Passengers in any Thoroughfare: Furious Driving.

Every Person who suffers to be at large any unmuzzled ferocious Dog, or sets on or urges any Dog or other Animal to attack, worry, or put in fear any Person or Animal: Ferocious Dogs.

Every Owner of any Dog who suffers such Dog to go at large, knowing or having reasonable Ground for believiug it to be in a rabid State, or to have heen bitten by any Dog or otber Animal in a rabid State: Rabid Dogs. 10 & 11 Vict. c. 89. s. 28.

Every Persou wbo, after public Notice given hy any Justice directing Dogs to he confined on account of Suspicion of Canine Madness, suffers any Dog to be at large during the Time specified in such Notice, or who shall keep or suffer to be at large within *Fifty* Yards of any public Road, any Cur Dog, Mastiff, or Bulldog, without having such Dog muzzled, or without having a Block of Wood fastened to the Neck of such Dog, of sufficient Weight to prevent such Dog from being dangerous; and it shall he lawful for any Superintendent, Inspector, or Constable of the said Police Force, witbout Warrant, to seize or kill any Dog which he shall or may find, or which shall he found on any Road, Street, Lane, or other Place within the said District, contrary to the Provisions of this Act, and which sball he the Cause of immediate Danger to any Person whatsoever: Dogs to be muzzled. 14 & 15 Vict. c. 92. s. 10.

Every Person who slaughters or dresses any Cattle or any Part thereof in any Street or Road, except in the Case of any Cattle over-driven which may have met with any Accident, and which for the public Safety or other reasonable Cause ought to be killed on the Spot: 10 & 11 Vict. c. 89. s. 28.

Every Person who places or leaves any Furniture, Goods, Wares, or Merchandise, or any Cask, Tub, Basket, Pail, or Bucket, or places or uses any Standing-place, Stool, Bench, Stall, or Showboard on any Footway; or who places any Blind, Shade, Covering, Awning, or other Projection over or along any such Footway unless such Blind, Shade, Covering, Awning, or other Projection is *Eight* Feet in Height at least in every Part thereof from the Ground: Obstruction on Footway.

Every Person who shall expose anything for Sale in any Park or public Garden (unless with the Consent of the Owner or other Person authorized to give such Consent), or upon or so as to bang over any Carriageway or Footway, or beyond the Line of Obstruction in Parks, &c.

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Nuisances.

any House, Shop, or Building at which the same are so exposed, so as to obstruct, endanger, or incommode the Passage of any Person over or along such Footway:

Rolling Casks, &c. on Footway.

Every Person who rolls or carries any Cask, Tub, Hoop, or Wheel, or any Ladder, Plank, Pole Timber, or Log of Wood, upon any Footway, except for the Purpose of loading or unloading any Cart or Carriage, or of crossing the Footway:

Cords across Street, &c.

Every Person who places any Line, Cord, or Pole across any Street, or from any Window, or hangs or places any Clothes thereon, or places any Clothes or any other Matter or Thing whatsoever thereon, whereby or by means whereof the Persons passing and repassing in the said Street are or may be incommoded:

Prostitutes.

Every common Prostitute or Nightwalker loitering or importuning Passengers for the Purposes of Prostitution:

Indecent Prints.

Every Person who publicly offers for Sale or Distribution or exhibits to public View any seditious, profane, indecent, or obscene Book, Paper, Print, Drawing, Painting, or Representation, or sings any seditious, profane, or obscene Song or Ballad, or who shall write or draw any indecent or obscene Word, Figure, or Representation, or use any seditious, profane, or obscene Language:

Discharging Fire-arms. 2 & 3 Vict. c. 47. s. 55. (London.)

Every Person, other than Persons acting in obedience to lawful Authority, who shall discharge any Cannon or other Fire-arm within *Three* hundred Yards of any Dwelling House within the said District to the Annoyance of any Inhabitant thereof:

Fireworks, &c. 10 & 11 Vict. c. 89. s. 28.

Every Person who wantonly throws or discharges any Stone or other Missile, or makes any Bonfire, or throws or sets fire to any Firework:

Ringing Bells.

Every Person who wilfully and wantonly disturbs any Inhabitant, by pulling or ringing any Door Bell, or knocking at any Door, or who wilfully and unlawfully extinguishes the Light of any Lamp:

Flying Kites, Slides, &c.

Every Person who flies any Kite or who shall play at any Game to the Annoyance of the Inhabitants or Passengers, or who makes or uses any Slide upon Ice or Snow in any Street or other Thoroughfare to the common Danger of the Passengers:

Cleaning Casks.

Every Person who cleanses, hoops, fires, washes, or scalds any Cask or Tub, or hews, saws, bores, or cuts any Timber or Stone, or slacks, sifts, or screens any Lime:

Laying down Stones, &c.

Every Person who throws or lays down any Stones, Coals, Slates, Shells, Lime, Bricks, Timber, Iron, or other Materials (except Building Materials so enclosed as to prevent Mischief to Passengers):

Beating Carpets.

Every Person who beats or shakes any Carpet, Rug, or Mat (except Door Mats, beaten or shaken before the Hour of *Eight* of the Clock in the Morning):

Every

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Nuisances.

Every Person who fixes or places any Flower Pot or Box or other heavy Article in any upper Window without sufficiently guarding the same against being blown down or thrown down: Flower Pots.

Every Person who throws from the Roof or any Part of any House or other Building any Slate, Brick, Wood, Rubbish, or other Thing, except Snow thrown so as not to fall on any Passenger: Throwing from Roof.

Every Person who leaves open any Vault or Cellar or the Entrance from any Street to any Cellar or Room under Ground without a sufficient Fence or Handrail, or leaves defective the Door, Window, or other Covering of any Vault or Cellar, or who does not sufficiently fence any Area, Pit, or Sewer left open, or who leaves such open Area, Pit, or Sewer without a sufficient Light after Sunset to warn and prevent Persons from falling thereinto: Leaving open Vaults, &c.

Every Person who keeps any Pigsty to the Front of any Street not being shut out from such Street by a sufficient Wall or Fence, or who keeps any Swine in or near any Street so as to be a common Nuisance: Pigsties. 10 & 11 Vict. c. 89. s. 28.

Every Person who, after being made acquainted with the Regulations or Directions which the said Commissioners of Police shall have made for regulating the Route of Horses, Carts, Carriages, and Persons, during the Time of Divine Service, and for preventing Obstructions during Public Processions and on other Occasions, shall wilfully disregard or not conform himself thereunto: Regulations for Carriages.

Every Person who, without the Consent of the Owner or Occupier, shall affix any Posting Bill or other Paper against or upon any Building, Wall, Fence, or Pale, or write upon, soil, deface, or mark any such Building, Wall, Fence, or Pale with Chalk or Paint, or in any other Way whatsoever, or wilfully break, destroy, or damage any Part of any such Building, Wall, Fence, or Pale, or any Fixture or Appendage thereunto, or any Tree, Shrub, or Seat in any public Walk, Park, or Garden: Posting Bills.

Every Person who shall use any threatening, abusive, or insulting Words or Behaviour with Intent to provoke a Breach of the Peace, or whereby a Breach of the Peace may be occasioned: Threatening Language.

Every Person, except the Guards and Postmen belonging to Her Majesty's Post Office in the Performance of their Duty, who shall blow any Horn or use any other noisy Instrument for the Purpose of calling Persons together, or of announcing any Show or Entertainment, or for the Purpose of hawking, selling, distributing, or collecting any Article whatsoever: Blowing Horns.

Every Person who at any Theatre or other Place of Public Resort shall unlawfully and maliciously disturb the Tranquillity and good Order among Her Majesty's peaceable Subjects there assembled, or who shall encourage and endeavour to instigate or prevail on Disturbing Theatres.

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Nuisances.

any other Persons to disturb the Public Peace, or to injure or annoy any of the Persons so assembled in Person or Property:

Emptying Privies.

Every Person who shall empty or begin to empty any Privy between the Hours of *Six* in the Morning and *Twelve* at Night, or remove along any Thoroughfare any Night Soil, Soap Lees, Ammoniacal Liquor, or other such offensive Matter between the Hours of *Six* in the Morning and *Eight* in the Evening, or who shall at any Time use for any such Purpose any Cart or Carriage not having a proper Covering, or who shall wilfully or carelessly slop or spill any such offensive Matter in the Removal thereof, or who shall not carefully sweep and clean every Place in which any such offensive Matter shall have been placed, slopped, or spilled; and in default of the Apprehension of the actual Offender, the Owner of the Cart or Carriage employed for any such Purpose shall be deemed to be the Offender: Provided always, that this Enactment shall not be construed to prevent any Person who may be employed in paving, lighting, and cleansing Streets within the Metropolitan Police District, or any Persons acting in that respect, from emptying or removing along any Thoroughfare at any Time whatever the Contents of any Sewer which they are authorized to cleanse or empty:

Cleaning Footways.

Every Occupier of a House or other Tenement in any Town or on any Public Road within the said District who shall not keep sufficiently swept and cleansed all Footways and Watercourses adjoining the Premises occupied by him; and if any Tenement be empty or unoccupied the Owner thereof shall be deemed the Occupier with reference to this Enactment.

Penalties for Offences.

CL. Any Person who shall on any such Road, Street, or Thoroughfare commit any of the next following Offences shall, in addition to any Civil Action to which he may make himself liable, be also liable for every such Offence to a Fine not exceeding *Twenty Shillings*; that is to say,

Leaving Carriages, &c. on Road. 14 & 15 Vict. c. 92. s. 10.

Any Person who shall leave or permit to be left on any Road within the said District, opposite to or near his House or Office, any Plough, Harrow, Cart, or other Carriage, without the Horse or other Animal being harnessed thereto, unless such Carriage shall have been accidentally broken down there:

Flax, Corn, Cart Wheels, &c.

Any Person who shall bind any Car or Cart Wheels, or heat any Flax, or thresh or winnow any Corn on any Road or Street in the said District, or within *Thirty* Feet of the Centre thereof, save within any House or Yard:

Flax, Bricks, Bonfires, &c.

Any Person who shall steep or dry any Flax, or burn any Bricks or Lime, or any Weeds or Vegetables for Ashes upon any Street or Road, or within *Sixty* Feet of the Centre thereof, or shall make

or

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or assist in making any Fires commonly called Bonfires, or any other Kind of Fire, upon any such Street or Road, or within *Sixty* Feet of the Centre thereof, save within any House or Yard: *Nuisances*

Any Person who causes any Carriage, Sledge, Truck, or Barrow, with or without Horses, or any Beast of Burden, to stand longer than is necessary for loading or unloading Goods, or for taking up or setting down Passengers (except Hackney Carriages, and Horses or other Beasts of Draught or Burden standing for Hire in any Place appointed for that Purpose by the Commissioners or other lawful Authority): Obstruction by Carriages, &c. 5 Vict. c. 24. s. 14.

Any Person who causes any Tree or Timber or Iron Beam to be drawn in or upon any Carriage, without being supported by Wheels from touching the same, and having sufficient Means of safely guiding such Tree or Timber: By Trees, &c. 10 & 11 Vict. c. 89. s. 28.

Any Person who leads or rides any Horse or other Animal, or draws or drives any Cart or Carriage, Sledge, Truck, or Barrow, upon any Footway of any Street, or fastens any Horse or other Animal so that it stands across or upon any Footway: Upon Footways. 10 & 11 Vict. c. 89. s. 28.

Any Driver of any such Carriage as last aforesaid, not having the Owner's Name remaining legible thereon, who shall refuse to tell or to discover the true Christian and Surname and Residence of the Owner of such Carriage: Carriages, &c. 14 & 15 Vict. c. 92. s. 12.

Any Person who at One Time drives more than Two Carts or Carriages, and any Person driving Two Carts or Carriages who has not the Halter of the Horse in the last Cart or Carriage securely fastened to the Back of the First Cart or Carriage, or has such Halter of a greater Length from such Fastening to the Horse's Head than *Four* Feet: Carts, &c. 10 & 11 Vict. c. 89. s. 28.

Any Person having the Care of any loaded Cart, Dray, Caravan, or other Vehicle used in the Land Carriage Delivery or Sale of any Goods, Wares, Produce, Manufactures, Utensils, Machinery, Matter, Commodity, or Thing, who rides upon any such Vehicle, or on any Part thereof, or on any Animal drawing the same, and any Person who rides upon the Shafts of any such Vehicle when unloaded, or upon any Animal as aforesaid, or who, without having good Reins of a sufficient Length and Strength, and holding the same, rides upon any such unloaded Vehicle; and any Person who shall be at such a Distance from any Vehicle in his Charge as not to have due Control over every Animal drawing the same, or who, while delivering or receiving any loading, shall neglect to secure the Near Wheel of the Vehicle under his Care with a strong Drag Chain and Hook to the leading Shaft of such Vehicle behind the Forebar thereof: Carriages, &c. 14 & 15 Vict. c. 92. s. 12.

Any Person driving any Carriage whatsoever, or riding any Horse or other Animal, who, meeting any other Carriage or Horse or other Rule of Road. 14 & 15 Vict. c. 92. s. 13.

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Nuisances

other Animal, shall not keep his Carriage or Horse or other Animal on the Left or Near Side of the Road or Street, or, if passing any other Carriage or Horse or other Animal going in the same Direction, shall not in all Cases where it is practicable go and pass to the Right or Off Side of such other Carriage or Horse or other Animal:

Rule of Road. 14 & 15 Vict. c. 92. s. 13.

Any Person riding any Horse and leading any other Horse who shall not keep such led Horse on the Side farthest away from any Carriage or Person passing him on any public Road or in any Street of a Town:

Cattle.

Any Person who shall turn loose any Horse or Cattle:

Exposing Horses, &c. for Show. 10 & 11 Vict. c. 89 s. 28.

Any Person who exposes for Show, Hire, or Sale (except in a Market or Market Place, or Fair lawfully appointed for that Purpose) any Horse or other Animal, or exhibits in a Caravan or otherwise any Show or public Entertainment, or shoes, bleeds, or farries any Horse or Animal (except in Cases of Accident), or cleans, dresses, exercises, trains, or breaks, or turns loose any Horse or Animal, or makes or repairs any Part of any Cart or Carriage (except in Cases of Accident where Repair on the Spot is necessary):

Riding on Carriage without Leave of Owner.

Any Person who shall ride upon or cause himself to be carried or drawn by any Carriage within the Police District without the Consent of the Owner or Driver thereof, shall be liable to a Penalty not more than *Five Shillings*, or if a Child apparently under the Age of *Twelve* Years, it shall be lawful for the Justice to cause such Child to be detained until his Parent or Guardian can attend for the Purpose of having such Child delivered into his Care, and if such Parent or Guardian do not so attend before the closing of the Police Court for the Day it shall be lawful for the Justice to order such Child to be discharged:

14 & 15 Vict. c. 92. s. 13.

And no Cart, Dray, Waggon, or other such Carriage travelling on any such Road or Street shall be driven by any Person who shall not be of the full Age of *Thirteen* Years, the Penalty in such last-mentioned Case to be paid by the Owners of such Carriage:

Any Constable may seize and convey to the Common Pound or Livery Stable any Car, Cart, Carriage, Barrow, Truck, Sledge, Tree, Timber, Beam, Board, Plank, Iron, Furniture, Hay, Straw, Cask, Tub, Fruit, Vegetables, or other Article whatsoever which shall be found to obstruct any Road, Street, Court, or Passage, and shall not have been removed after due Caution being given to the Owner or Owners or other Person or Persons having the Charge thereof, and it shall be lawful for the said Commissioners to direct that the same shall be sold (if unclaimed or not redeemed) in the Manner hereinbefore directed respecting Swine or Beasts found wandering through the

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the Streets, Lanes, Passages, or other Places of public Thoroughfare within the said District. *Nuisances.*

To prevent negligent or wilful Misbehaviour of Drivers of Carriages, &c. in the Streets or Highways. 1 Vict. c. 25. s. 23.

CLI. If the Driver of any Carriage or Vehicle whatsoever or any Person riding shall by Negligence, wilful Misbehaviour, or any other Misconduct cause any Hurt or Damage to any Person or Property being upon any Street or Highway, or if the Driver of any Carriage or Vehicle whatever shall wilfully be at such Distance from such Carriage or Vehicle that he cannot have the Direction and Government of any Horse or Horses or Cattle drawing the same, not having employed some proper Person to take care of the same, or shall by Negligence, wilful Misbehaviour, or any other Misconduct interrupt the free Passage of any other Carriage or Vehicle or of Her Majesty's Subjects, or shall obstruct any Street or Highway, or any Crossing therein, or the Approach or Access to any House or Shop, and being required by any Constable or Peace Officer to pass on or move shall continue to obstruct the same, every Person so offending in any of the Cases aforesaid within the said District, and being convicted by any Justice of the Peace of any such Offence, shall for every such Offence forfeit any Sum not exceeding *Forty Shillings*, and in default of Payment of such Penalty and of such Compensation, if ordered, together with the Costs attending such Conviction, immediately or within such Time as such Justice shall appoint, such Justice shall and may commit such Offender to the Common Gaol, to be there imprisoned for any Term not exceeding *One* Month, unless such Penalty, together with the Costs and Compensation, if ordered, be sooner paid; and every such Offender shall and may by the Authority of this Act, with or without any Warrant, be apprehended by any Person who shall see such Offence committed, and shall be immediately conveyed or delivered to a Constable or other Peace Officer in order to be conveyed before some Justice of the Peace.

Penalty not exceeding 40*s.*

Certain Powers of former Commissioners of Paving transferred to Divisional Justices. 1 Vict. c. 25. s. 24. *See* Dublin Improvement Act, 12 & 13 Vict. c. 97 (1849) s. 1, repealing Portion of 47 G. 3. c. 109 (Pav-

CLII. All the Powers heretofore given to the late Commissioners for paving, cleansing, and lighting the City of Dublin, or to any One or more of them, in and by any of the Provisions now in force of the Acts in part repealed by the Dublin Improvement Act, 1849, of hearing and determining any Complaint for any Offence against the Provisions of the said Acts or any of them, and of imposing any Fine or Penalty thereon and enforcing the same, and of summoning the Parties and Witnesses thereon, shall be exercised by the Divisional Justices at the Police Court of the Division in which the Matter of the said Complaint shall have arisen; and all the Powers given in and by the said Provisions of the said Acts or any of them to any Inspector, Constable, or other Person appointed by the said late Commissioners for the Removal or Suppression of Nuisances, or the Apprehension of Persons

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Nuisances.

ing Act, Dublin).

committing any Offence, shall be exercised by any of the Constables of the said Police in every Street, Lane, or other Place within the said Police District; and every such Constable shall for those Purposes have all the Powers, Authorities, and Privileges which by the said Provisions of the said Acts are given to the Inspectors, Constables, and other Persons appointed by the said late Commissioners.

Power to abate dangerous Nuisances. 9 & 10 Vict. c. 96. s. 1.

CLIII. Every Person whose Dwelling House or Premises shall be kept in a filthy and unwholesome State, or who shall permit or suffer any Accumulation of offensive or noxious Matter, Refuse, Dung, or Offal, or any offensive Drain, Privy, or Cesspool, to be and remain a Common Nuisance in or upon the Dwelling House and Premises occupied by such Person, prejudicial not only to the Health of the Persons whose Habitations are in the Neighbourhood of any such House or Premises, but also of those passing and re-passing along and by the same, or who shall throw or lay any Dirt, Litter, or Ashes, or Nightsoil, or any Carrion, Fish, Offal, or Rubbish on any Street, or cause any offensive Matter to run from any Manufactory, Brewery, Slaughter-house, Butcher's Shop, or Dunghill in any Street, shall be liable to a Penalty not exceeding *Forty Shillings* for each Offence; and if any Constable shall have reasonable Grounds to suspect and believe that any such Common Nuisance exists, or is maintained in or upon any such Dwelling House or Premises, it shall be lawful for such Constable, without Warrant, at all reasonable Hours to enter into and search such Dwelling House and Premises; and in case of the Existence of any such Nuisance, the said Constable shall forthwith lay a Complaint before One of the said Divisional Justices touching the said Offence.

10 & 11 Vict. c. 89. s. 28.

Goods unlawfully detained.

Power to order Delivery of Goods unlawfully detained to the Owner. 5 Vict. c. 24. s. 68.

CLIV. Upon Complaint made to any of the said Justices by any Person claiming to be entitled to the Property or Possession of any Goods which are detained by any other Person within the Limits of the Police District, the Value of which shall not be greater than Fifteen Pounds, and not being Deeds, Muniments, or Papers relating to any Property of greater Value than Ten Pounds, it shall be lawful for such Justice to summon the Person complained of, and to inquire into the Title thereto or to the Possession thereof; and if it shall appear to the Justice that such Goods have been detained without just Cause, after due Notice of the Claim made by the Person complaining, or that the Person detaining such Goods has a Lien or Right to detain the same by way of Security for the Payment of Money or the Performance of any Act by the Owner thereof, it shall be lawful for such Justice to order the Goods to be delivered to the Owner thereof, either absolutely or upon Tender of the Amount appearing to be due by such Owner (which Amount the Justice is hereby authorized to determine), or upon Performance, or upon Tender

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Tender and Refusal of the Performance, of the Act for the Performance whereof such Goods are detained as Security, or if such Act cannot be performed, then upon Tender of Amends for Nonperformance thereof (the Nature or Amount of which Amends the Justice is hereby authorized to determine); and every Person who shall neglect or refuse to deliver up the Goods according to such Order shall forfeit to the Party aggrieved the full Value of such Goods, not greater than the Sum of *Ten Pounds*, such Value to be determined by the Justice: Provided always, that no such Order shall bar any Person from recovering Possession of the Goods or Money so delivered or forfeited by Suit or Action at Law from the Person to whose Possession such Goods or Money shall come by virtue of such Order.

Goods unlawfully detained.

CLV. The whole of the said Police District shall be deemed a City or Town within the Meaning of Sections Sixteen and Seventeen of the Act of the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Twenty-eight.

Landlord and Tenant.

Summary Recovery of Tenements.

CLVI. Every Person who shall occupy or shall have occupied any House or Lodging within the Police District as Tenant thereof, and who shall wilfully or maliciously do any Damage to the Premises, or to any Furniture thereof, not being the Property of such Tenant or Occupier, shall, upon Complaint made to One of the said Divisional Justices within *One Calendar Month* next after the Commission of the Offence, or the End of the Tenancy or Occupation, forfeit and pay such Sum of Money as shall appear to the Justice to be a reasonable Compensation for the Damage done, not more than the Sum of *Ten Pounds*, to be paid to the Landlord or Party aggrieved.

Power to order Compensation for wilful Damage by Tenants. 5 Vict. c. 24. s. 66.

CLVII. On Complaint made to any of the said Divisional Justices by any Person who shall within the Police District have occupied any House or Lodging by the Week or Month, or whereof the Rent does not exceed the Rate of Fifteen Pounds by the Year, that his Goods have been taken from him by an unlawful Distress, or that the Landlord, or his Broker or Agent, has been guilty of an Irregularity or Excess in respect of such Distress, it shall be lawful for such Justice to summon the Party complained against; and if upon the Hearing of the Matter it shall appear to the Justice that such Distress was improperly taken or unfairly disposed of, or that the Charges made by the Party having distrained or having attempted to distrain are contrary to Law, or that the Proceeds of the Sale of such Distress have not been duly accounted for to the Owner thereof, it shall be lawful for the Justice to order the Distress so taken, if not sold, to be returned to the Tenant on Payment of the Rent which shall appear to be due at such Time as the Justice shall appoint, or if the Distress

Power to deal summarily with Cases of oppressive Distress 5 Vict. c. 24. s. 67.

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Landlord and Tenant.

shall have been sold, then to order Payment to the said Tenant of the Value thereof, deducting thereout the Rent which shall so appear to be due, such Value to be determined by the Justice; and such Landlord or Party complained against, in default of Compliance with any such Order, shall forfeit to the Party aggrieved the Value of such Distress, not being greater than *Ten Pounds*, such Value to be determined by the Justice.

Proceedings to be taken for Recovery of Possession of Houses, &c. deserted. 14 & 15 Vict. c. 57. s. 71.

CLVIII. After the *passing of this Act*, in the Case of any deserted House, Land, or Tenement within the said Police District where the Landlord or Lessor shall have proceeded by Civil Bill Process for the Purpose of recovering the Possession thereof, pursuant to Section Seventy-one of the Act of the Fourteenth and Fifteenth Victoria, Chapter Fifty-seven, and shall require such Certificate as is by the said Section provided, it shall be lawful for any One of the said Divisional Justices to issue his Warrant to the Office Sergeant attached to the Police Court in which such Divisional Justice shall preside, requiring him to enter into or go upon and view such House, Land, or Tenement; and thereupon such Sergeant shall proceed as the Justices are directed to proceed by the said Section Seventy-one, but instead of certifying to the Assistant Barrister, shall make a Return to the said Warrant, and verify the same upon Oath before any One of such Divisional Justices, and it shall and may be lawful for any such Divisional Justice to transmit the said Warrant and Return thereto to the Assistant Barrister pursuant to the said Section Seventy-one, which Warrant and Return shall be of the same Force and Effect as a Certificate within the said Section Seventy-one.

Rates.

Taxes on Premises situated as herein may be recovered before any Divisional Justice. 12 & 13 Vict. c. 91. s. 70. Collection of Rates, Dublin.

CLIX. All Cesses, Rates, and Taxes authorized by Law to be levied by Order of any Justice or Justices of the Peace, and which are due on or payable out of or in respect of Premises wholly or in Part situate in the said Police District, may be recovered before any Justice at One of the said Police Courts, although the entire of the Parish, Township, Barony, Townland, or Place subject to or assessed or applotted for such Cesses, Rates, or Taxes may not be within the said District: Provided always, that nothing in this Act contained shall be deemed or taken to exempt from Liability to such Cesses, Rates, or Taxes any House, Land, or Tenement heretofore liable to and duly rated and assessed for the same.

Penalties.

Recovery of Penalties and Forfeitures. 5 Vict. c. 24. s. 71.

CLX. All Penalties, Forfeitures, and other Sums of Money imposed, awarded, or ordered to be paid by any of the said Divisional Justices under the Authority of this or any other Act of Parliament, and all Sums of Money which any Person is bound to pay under any Recognizance taken before a Justice, and afterwards forfeited

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forfeited in case of Nonpayment thereof, may be levied, with the Costs of such Proceedings on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or Person liable to pay the same, by Warrant under the Hand of such Justice; and the Overplus (if any) of the Money so raised or recovered, after discharging, with Costs, the Penalty, Forfeiture, or Sum ordered to be paid, shall be returned, on Demand, to the Party whose Goods and Chattels shall have been distrained. *Penalties.*

When Penalty not paid, Power to commit.

CLXI. In case any such Penalty, Forfeiture, or Sum of Money shall not be forthwith paid, it shall be lawful for such Justice, if he shall think fit so to do, to order the Party to be detained in safe Custody until the Return can be conveniently made to such Warrant of Distress, unless such Party shall give Security to the Satisfaction of the Justice for his Appearance at such Place and Time, not being more than *Seven* Days from the Time of such Detention, as shall be appointed for the Return of the Warrant of Distress, and the Justice is hereby empowered to take such Security by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no such sufficient Distress could be had whereupon to levy the said Penalty, Forfeiture, or Sum of Money, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of the Justice, upon the Confession of the Party or otherwise, that he has not sufficient Goods and Chattels whereupon such Penalty, Forfeiture, or Sum of Money could be levied if a Warrant of Distress should be issued, it shall be lawful for the Justice, by Warrant under his Hand, to commit such Party to the Common Gaol, there to remain for any Time not more than *Two* Calendar Months, where the Sum to be paid shall not exceed Five Pounds, and not more than *Three* Calendar Months in any Case, the Imprisonment to cease on Payment of the Sum due.

Justices may fix Time for Payment, and allow Payment by Instalments.

CLXII. It shall be lawful for any of the said Divisional Justices, if he shall think fit, to order that any Fine, Compensation, or other Sum awarded under the Provisions of this Act shall be paid either forthwith or at such Time or Times as he shall direct, and where such Sum shall not be a Fine for an Offence, that same shall be paid either in One Sum or by Instalments.

Justice empowered to receive Recognizances for Payment of Instalments.

CLXIII. Provided always, That it shall be lawful to and for any such Divisional Justice, if he shall think fit so to do, to require any such Person against whom such Order shall be so made to enter into a Recognizance, with or without Sureties conditioned for the Payment of such Portions or Instalments, at such appointed Times and Periods, to such Constable or other Person as shall be empowered by the said

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Penalties.

Commissioner to receive the same; and such Justice is hereby empowered in default of the Payment of such Sum, or in default of the Payment of any such Instalment, or upon Proof upon Oath being made before him that such Person is about to abscond, to levy the Amount then due upon such Recognizance, together with the Costs of such Levy, by Warrant under his Hand and Seal, or to issue his Warrant for the Apprehension of such Person, and to order such Person to be imprisoned for a Term not longer than such Period as the said Justice was by Law authorized to adjudge at the Time of the Hearing of the original Complaint on which such Sum was awarded and ordered to be paid; and the Payment of any such Portion or Instalment shall not be held or considered to invalidate or impair the Power of such Justice to enforce Payment of any Money remaining due on any such Award or Order.

All Fines and Penalties recoverable before Divisional Justice, to be paid to the Receiver of the Police. 2 & 3 Vict. s. 11. c. 78.

CLXIV. All Fines, Penalties, or Forfeitures, or Shares of Fines, Penalties, or Forfeitures, by any Law now in force or hereafter to be made payable to the Crown, or to any Person (other than the Informer who shall sue for the same, or the Party aggrieved), and which shall be recoverable by or before any of the Divisional Justices, shall be adjudged to, accounted for, and paid into the Hands of the Receiver of the Police District of Dublin Metropolis, to be applied by the said Receiver towards defraying the Expenses of the Police Establishment of the said District, anything in any other Act contained to the contrary thereof notwithstanding.

Distribution of Penalties. 1 & 2 W. 4. c. 22. s. 71.

CLXV. All pecuniary Penalties which shall be recovered before any Justice under this Act, for the Application of which no Provision is made in this or any other Act, shall respectively be divided and distributed in manner following; (that is to say,) *one Moiety* thereof to the Receiver, to be placed by him to the Account of the Public Monies of the Police District, and to be applied accordingly, and the *other Moiety* thereof to the Person who shall give Information of the Offence and prosecute the Offender: Provided nevertheless, that in case the Person who shall so give Information and prosecute shall be at the Time of the Commission of the Offence or of the Hearing of the Complaint employed in the Dublin Metropolitan Police Service, the whole Penalty so forfeited shall be paid to Receiver for the Purposes aforesaid.

Conviction, Appeal, &c.

Conviction not to be quashed for Want of Form or removable. 6 & 7 W. 4. c. 29. s. 41.

CLXVI. No Conviction had or made by or before any such Divisional Justice shall be quashed or set aside or adjudged void or insufficient for Want of Form, nor shall the same be removed by Certiorari into Her Majesty's Court of Queen's Bench.

CXLVII. In

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Conviction, Appeal, &c.

In Offence Cases Warrant to issue peremptorily. 14 & 15 Vict. c. 93. s. 23. "Petty Sessions Act, Ireland."

CLXVII. In all Cases of summary Jurisdiction, whenever an Order shall be made upon the Conviction of any Person for an Offence, the Divisional Justice shall issue the proper Warrant for its Execution forthwith, when the Imprisonment is to take place immediately or at the Time fixed by the Order for the Imprisonment to take place where it is not to be immediate, or directly upon the Nonpayment of any penal Sum or the Nonperformance of any Condition at the Time and in the Manner fixed by the Order for that Purpose for the Imprisonment, Payment, or Performance of a Condition, as the Case may be, unless the Imprisonment or penal Sum shall have been remitted by the Crown or other competent Authority in the Interval.

In civil Cases Warrants to issue on Application of Party;

CLXVIII. Whenever an Order shall be made in any Case of a Civil Nature and the same shall not be obeyed, the Justice shall issue the proper Warrant for its Execution at any Time after the Time fixed for Compliance with its Directions, where required so to do by the Person in whose Favour such Order shall have been made, or by some Person on his Behalf.

No Execution of Order pending an Appeal; except in certain Cases; or if Warrant issued, not to be executed, or if executed, Party to be discharged or Distress to be returned.

CLXIX. In every Case where the Party being entitled to appear against any Order shall have duly given Notice thereof and entered into a Recognizance to prosecute the same in the Manner herein-after provided, it shall not be lawful for any Justice to issue any Warrant to execute the said Order until such Appeal shall have been decided, or until the Appellant shall have failed to perform the Condition of such Recognizance, as the Case may be (except where any Act shall expressly authorize or direct the Levy of any Sum to be made notwithstanding the Appeal); and in any Case where any Person shall be in Custody or shall have been committed to Gaol, or any Warrant of Distress shall have been issued or executed under any such Order, the Justice by whom the Warrant shall have been issued shall upon an Application being made to him in that Behalf forthwith order the Discharge of such Person from Custody or from Gaol, or that such Warrant of Distress shall not be executed, or that if executed the Distress shall be returned to the Owner, as the Case may be.

In what Cases Appeals shall be permitted. 14 & 15 Vict. c. 93. s. 24.

CLXX. In any Case of summary Jurisdiction where an Order shall be made by any Divisional Justice for Payment of any penal or other Sum exceeding Twenty Shillings, or for any Term of Imprisonment exceeding One Month, or for the doing of anything at a greater Expense than Forty Shillings, or for the estreating of any Recognizance to a greater Amount than Twenty Shillings (but in no other Case), either Party (whether he shall be the Complainant or the Defendant) shall be entitled to appeal to the next Quarter Sessions to be held in the County of the City or County of Dublin, as the Case may

Appeal only to next Quarter Sessions.

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Conviction, Appeal, &c.

may be (unless when any such Sessions shall commence within *Seven* Days from the Date of the Order, in which Case the Appeal may he made to the next succeeding Sessions of the County of the City or County of Dublin); and such Appeal shall be subject to the following Provisions:

Notice to be given.

The Appellant shall serve Notice in Writing of his Intention to appeal upon the Chief or any other of the Clerks of the Police Court at which such Order shall have been made within *Forty-eight* Hours from the Date of the Order against which the Appeal shall be made:

Recognizance to prosecute Appeal. Amount of Recognizance.

He shall also within *Three Days* after such Notice as aforesaid enter into a Recognizance with Two solvent Sureties, conditioned to prosecute such Appeal, and the Amount of such Recognizance shall be double the Amount of the Sum and Costs ordered to be paid, where Payment only is ordered, or of such reasonable Amount as the Justices shall see fit, where Imprisonment is ordered:

Form of Appeal.

Whenever the Appellant shall have given such Notice and entered into such Recognizance there shall be delivered to him a Certificate of the Order against which he shall appeal (signed by the Justice who shall have made the same); and it shall also be therein certified by any such Clerk that the said Notice was duly given, and that the said Recognizance was duly entered into, if the Fact shall be so:

Recognizance to appeal to be transmitted to Clerk of Peace.

In every Case where an Appeal shall be so made, the said Clerk shall transmit the Recognizance entered into to prosecute such Appeal and all other Proceedings in such Case to the proper Clerk of the Peace at least *Seven* Days before the Commencement of the Sessions to which the Appeal shall be made, or as soon afterwards as may be practicable:

Appellant to give Notice to opposite Party.

The Appellant shall give Notice in Writing to the opposite Party of his Intention to prosecute his Appeal at least *Seven* clear Days before the Commencement of the Sessions to which the Appeal shall be made:

Court of Quarter Sessions (or Recorder) may decide Appeal, and give Costs not exceeding 40*s*.

Clerk of Peace to certify Decision; or certify upon and

Whenever an Appeal shall have been so made, and such last-mentioned Notice shall have been duly given, it shall be lawful for the said Court of Quarter Sessions to entertain the same, and to confirm, vary, or reverse the Order made by the Justices, and to award to either Party any Sum not exceeding *Forty Shillings* for the Costs of such Appeal; and whenever the said Court shall have decided any such Appeal, the Clerk of the Peace shall certify such Decision and return the same and the said Proceedings to the before-mentioned Justice by whom the said Order shall have been made, within *Seven* Days after such Appeal shall have been decided; and whenever any such Appeal shall not have

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Conviction, Appeal, &c.

have been duly prosecuted, the Clerk of the Peace shall so certify upon such Recognizance, and return the same to the said Justice within *Seven* Days after the Termination of the Sessions at which such Appeal ought to have been prosecuted, and which Certificate shall be free from any Charge:

return Recognizance if Appeal is not prosecuted.

And whenever it shall appear from such Certificate that such Appeal has not been duly prosecuted, or that the original Order has been confirmed upon Appeal, the Justice who shall have made the original Order shall issue the proper Warrant for the Execution of the same, as if no such Appeal had been brought; and in every Case in which it shall appear from such Certificate that the Court of Appeal shall have varied the original Order, the said Justice shall forthwith issue the proper Warrant for the Execution of the Order so made by the Court of Appeal, in like Manner as he might have issued a Warrant for the Execution of the original Order in case no Appeal had been prosecuted; and if upon any such Appeal either Party shall be ordered to pay Costs, it shall be lawful for such Justice to enforce Payment of the same, in like Manner as any Costs awarded by the original Order; and in any Case where an Order by which any Person shall be adjudged to be imprisoned shall be confirmed on Appeal, such Person shall be liable to be imprisoned for the Period adjudged by the original Order, where he shall not have been apprehended under the original Order, or where he shall have so been apprehended and discharged, then for such Period as, together with the Time during which he shall so have been in Custody, shall be equal to the Period adjudged by the original Order:

If Order is not varied on Appeal, Justice shall issue Warrant for Execution of the same.

But where Order is varied Warrant to issue for Execution of Order of Quarter Sessions.

Costs of Appeal how recovered.

Where Party has been imprisoned he is only to be imprisoned for Remainder of Period.

Provided always, that whenever the Party bound by Recognizance to prosecute an Appeal against an Order to imprison shall have absconded, or when the Party bound to prosecute an Appeal against an Order for Payment of any penal or other Sum shall have no Goods whereon to levy the same by Distress, it shall be lawful for the Justice by whom the original Order was made, and after like Proof of Notice to the Parties as in estreating other Recognizances in summary Proceedings, to make an Order for estreating the Recognizance in any such Case to such Amount as he shall see fit, and for paying out of such Amount such Sum as shall have been directed to be paid to any Party by such original Order, and thereupon to issue a Warrant for the Levy of the same upon the Goods of the several Persons bound thereby.

In certain Cases, where Party fails to prosecute Appeal, Justice may estreat Recognizance.

CLXXI. No Warrant of Commitment shall be held void by reason of any Defect therein, provided that it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain

As to Informality in Warrants, &c.

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Convictions, Appeal, &c.

6 & 7 W. 4. c. 29. s. 41.

sustain the same; and where any Distress shall be made for levying any Money by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party distraining be deemed a Trespasser ab initio on account of any Irregularity afterwards committed by him, but the Person aggrieved by such Irregularity may recover full Satisfaction for any special Damage.

Proceedings against Persons acting under this Act. 5 Vict. c. 24. s. 75.

Notice of Action.

Tender of Amends, &c.

CLXXII. All Actions and Prosecutions to be commenced against any Person other than a Commissioner or Divisional Justice of Police for any Thing done in pursuance of this Act shall be commenced within *Three* Calendar Months after the Fact committed, and not otherwise; and Notice in Writing of such Action, and of the Cause thereof, shall be given to the Defendant *Twenty* clear Days at least before the Commencement of the Action; and no Plaintiff shall recover in any such Action if Tender of sufficient Amends shall have been made before such Action brought, or if a sufficient Sum of Money shall have been paid into Court after such Action brought, by or on behalf of the Defendant.

When Actions are brought against Constables, they may justify under Warrant.

CLXXIII. When any Action shall be brought against any Constable of Police of said District, for any Act done in obedience to a Warrant addressed to him to be executed, such Constable shall not be responsible for any Irregularity in the issuing of such Warrant, or for any Want of Jurisdiction in the Party issuing the same; and such Constable may justify under such Warrant, and upon producing such Warrant and proving that the Signature thereto is the Handwriting of the Person whose Name shall appear subscribed thereto, and that such Person has acted in the Capacity in virtue of which he may have signed the Warrant, and that the Act or Acts complained of were done in obedience to such Warrant, the Jury who shall try the said Issue shall find a Verdict for such Constable.

Justices, Constables, &c., indemnified, though the Goods shall appear not to be stolen, or Felons, &c., not in the Houses. 48 G. 3. c. 140. s. 47.

CLXXIV. In case Goods or other Things carried and conveyed as herein-before mentioned shall not have been stolen, or in case no Felon or Accessory to Felony, or Receiver of stolen Goods, nor any Goods or Things stolen or feloniously taken or carried away, shall be found in such Dwelling House, Outhouse, Shop, Warehouse, Cellar, Yard, or other Place, and that any Action, Suit, Plaint, or Information against any Person for such apprehending, entering, or breaking shall be commenced within *Six* Months after the Offence committed, any such Person so sued or prosecuted may justify under this Act.

CLXXV. Whereas

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Miscellaneous.

Superannuation of Officers who have served in Constabulary and Dublin Metropolitan Police. 10 & 11 Vict. c. 100.

CLXXV. Whereas by an Act of the Tenth and Eleventh Years of Her present Majesty, Chapter One hundred, Provision is made for granting Superannuation Allowances and Gratuities to Magistrates, Officers, Constables, and other Persons, appointed under the Acts relating to the Constabulary Force and under the Acts relating to the Dublin Metropolitan Police Establishment, but the said last-recited Act does not authorize the granting of any Superannuation Allowance or Gratuity for a Period of Service of which Part was under the Acts relating to the Constabulary, and Part under the Acts relating to the Dublin Metropolitan Police: Be it enacted as follows:

In any Case of continuous Service, whereof One Part shall have been performed under the Acts relating to the Constabulary Force, and the other Part under the Acts relating to the Dublin Metropolitan Police Establishment, it shall be lawful for the Commissioners of Her Majesty's Treasury, on the Recommendation of the Lord Lieutenant of Ireland, to grant any Superannuation Allowance or Gratuity not exceeding the Amount which might under the said last-recited Act have been granted by them or by the Lord Lieutenant of Ireland, if the whole of such Service had been performed either under the Acts relating to the Constabulary Force or under the Acts relating to the Dublin Metropolitan Police Establishment, and to charge such Allowance or Gratuity on the Constabulary Superannuation Fund and on the Funds applicable to the Support of the Dublin Metropolitan Police Establishment, in such Proportions as may appear to them just and equitable:

In the Case of any Person who, after a continuous Service in the Constabulary Force, and afterwards in the Dublin Metropolitan Police Establishment, has been heretofore discharged from the Dublin Metropolitan Police Establishment on Superannuation Allowance or Gratuity, it shall be lawful for the said Commissioners of Her Majesty's Treasury, on the Recommendation of the Lord Lieutenant of Ireland, to grant to such Person an additional Superannuation Allowance or Gratuity, charged on the Constabulary Superannuation Fund, not exceeding the Difference between the Amount which might have been legally granted for his Service in the Dublin Metropolitan Establishment and the Amount which might have been legally granted for the whole Period of his Service in both Establishments if this Act had been in force at the Time of his Discharge.

Deserted Infants under Three Years of age to be tendered to and main-

CLXXVI. In all Cases in which it shall appear to any Divisional Justice, by Information upon Oath, that any Infant under the Age of *Three* Years, hath been discovered by any Constable or other Person at any Place within said District, in an abandoned

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Miscellaneous.

Maintained by Poor Law Guardians.

and deserted State, and that the Person by whom the said Infant had been so abandoned and deserted is unknown, it shall be lawful for the said Justice, by Warrant under his Hand and Seal directed to any of the Constables of the said District, to authorize and direct him to tender the said Infant to the Guardians of the Poor or their proper Officer in that Behalf, at the Poorhouse of the Union within the District of which such Infant shall have been so discovered, and to require the Person to whom the said Infant shall have been so tendered forthwith to receive the said Infant into the said Workhouse, so as that the said Infant may without Delay be nourished, maintained, and supported from and out of the usual Rates collected for the Maintenance of the Poor; and such Infant shall be received, supported, and maintained accordingly.

How Summons may be served. 5 Vict. c. 24. s. 50.

CLXXVII. Every Summons under this Act may be served by delivering a Copy of the Summons to the Party, or by delivering at his usual Place of Abode or Office or Place of Business a Copy of the Summons to the Wife or Servant, or some Inmate of the Family of the Party, such Servant or Inmate being of the Age of *Sixteen* Years or upwards, and explaining the Purport thereof to such Wife, Servant, or Inmate: Provided always, that every such Summons shall be so served *Twenty-four* Hours at least before the Time appointed for the Hearing of the Complaint or other the Cause of such Summons.

Informer competent Witness. 48 G. 3. s. 119.

CLXXVIII. In all Cases of Complaints or Informations under this Act for any Offence for which any Fine or pecuniary Penalty is to be imposed, the Informer or Prosecutor shall be admitted a competent Witness to prove the Offence; and his Testimony, if believed, shall be sufficient for that Purpose without any other Evidence.

Reputation to be sufficient Evidence of Officer's Authority. 48 G. 3. c. 140. s. 123.

CLXXIX. If it shall become necessary to prove the Power, Office, Authority, or Appointment of any of the said Commissioners, Divisional Justices, or Constables, or of the Receiver, or of any other Officer or Person appointed or acting under or by virtue of this Act as aforesaid, it shall in all Cases be sufficient to all Intents and Purposes, to prove that such Person or Persons at the Time in question was or were commonly known or reputed to hold such Office or Situation respectively; and it shall not in any such Case be necessary to produce or prove any Appointment or Qualification whatsoever of such Person or Persons.

Paying Police Rate no Disqualification of Justices.

CLXXX. No Justice of the Peace shall be disabled from acting in the Execution of this Act by reason of his being liable to the Payment of any Money for the Maintenance of the Police under this Act.

CLXXXI. The

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Miscellaneous

Sessions of the Peace for Dublin City and County.

CLXXXI. The Sessions of the Peace for the County of the City of Dublin shall not be adjourned for any greater Length of Time than from *Six* Weeks to *Six* Weeks, and it shall be lawful to hold the said Sessions during the Law Terms: Provided, however, that nothing herein contained shall prevent the holding of the Sessions of Peace for the County of Dublin in the usual Place for holding the same, or shall in anywise affect the Prosecution or Trial of any Person accused of having committed Perjury on any Trial held before a Jury of the County of Dublin, but that all and every the said Matters shall proceed as if this Act had not passed.

Juetices, &c. not to serve on Juries. 1 Vict. c. 25. s. 20.

CLXXXII. The Commissioners, Divisional Justices, and all other Persons already appointed or hereafter to be appointed under any Act to be passed for the Regulation of the said Police District, shall be and are hereby exempted and disqualified from being returned to serve or from serving on any Juries or Inquests whatsoever in the County or County of the City of Dublin.

Forms to be prepared by Commissioners. (But see Petty Sessions Act.)

CLXXXIII. The said Commissioners of the Metropolitan Police shall prepare and adopt Forms of Summonses, Warrants, Convictions, and other Proceedings, which, when so prepared, subject to the Approval of the Chief or Under Secretary, and adopted, shall be as valid in Law as if specially set forth in this Act.

Misnomers not to affect the Execution of the Act. 1 Vict. c. 25. s. 3.

CLXXXIV. No Misnomer or inaccurate Description in the Schedules to this Act annexed, or in any Order in Council to be made as aforesaid, shall prevent or in anywise affect the Operation thereof, but this Act and every such Order shall apply and be enforced as fully and effectually to all Intents and Purposes as if the Subject of such Misnomer or Misdescription had been correctly named and described in such Schedule or Order in Council, provided the same be designated to common Intent and Understanding; and provided further that united Parishes shall for all the Purposes of this Act be deemed to be included under and denoted by the Word "Parish."

Act not to affect Police Rates under 12 & 13 Vict. c. 91.

CLXXXV. Nothing in this Act contained shall affect the Provisions relating to the Collection of the Police Rates of the Act of the Twelfth and Thirteenth Victoria, Chapter Ninety-one, but the same shall continue to be collected as if this Act were an Act amending the Act of the Sixth and Seventh William the Fourth, Chapter Twenty-nine.

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SCHEDULES to which the foregoing Act refers.

SCHEDULE A.

ACTS AND PARTS OF ACTS REPEALED.

Date of Act.	Title.	Extent of Repeal.
48th Geo. 3. c. 140. -	An Act for the more effectual Administration of the Office of a Justice of the Peace, and for the more effectual Prevention of Felonies, within the District of Dublin Metropolis.	The whole.
5th Geo. 4. c. 102.	An Act to amend an Act of the Forty-eighth Year of the Reign of His late Majesty, for the more effectual Administration of the Office of a Justice of the Peace, and for the more effectual Prevention of Felonies, within the District of Dublin Metropolis.	The whole.
6th & 7th Wm. 4. c. 29.	An Act for improving the Police in the District of Dublin Metropolis.	The whole.
7th Wm. 4. & 1st Vict. c. 25	An Act to make more effectual Provisions relating to the Police in the District of Dublin Metropolis.	The whole.
1st & 2d Vict. c. 63. -	An Act to amend the Acts relating to the Police of the District of Dublin Metropolis.	The whole.
2d & 3d Vict. c. 78. -	An Act to make further Provisions relating to the Police in the District of Dublin Metropolis.	The whole.
3d & 4th Vict. c. 103.	An Act to amend an Act of the last Session for making further Provisions relating to the Police in the District of Dublin Metropolis.	The whole.
5th Vict. c. 24. - -	An Act for improving the Dublin Police.	The whole.
11th & 12th Vict. c. 113.	An Act for the further Amendment of the Acts relating to the Dublin Police.	Sections 1, 2, and 3. The Remainder of the said Act having been repealed by 16 & 17 Vict. c. 112, Dublin Carriage Act.

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SCHEDULE B.

Boundary of the Dublin Police District.

The Police District of Dublin Metropolis shall be divided into Three Divisions or Districts following; that is to say, the Castle and Kingstown, or Letter A, Division; the B, or College Division; and the C, or Rotunda Division; and that the Limits of the said respective Divisions shall stand and be as follows; that is to say, 1 Vict. c. 25. s. 1.; 2 & 3 Vict. c. 78. s. 14.; 3 & 4 Vict. c. 103. s. 1. Orders in Council of 3d April 1838, 13th March 1840, 27th April 1841, 1st May 1850.

A. Division.—That the Castle and Kingstown, or Letter A, Division, shall consist of and have the Bounds following; that is to say, from a Point in the central Line of the River Anna Liffey opposite to the central Line of Eustace Street, in a direct Line to the Centre of the North End of the said Eustace Street, and from thence along the central Line of the said Street, and from thence in a direct Line to the Centre of the North End of Great George's Street South, and from thence along the central Line of Great George's Street South, and so on to and along the central Line and Lines of Aungier Street, Redmond's Hill, Kevin's Port, alias Dale Street, alias Wexford Street, Camden Street, Portobello, and so on along the central Line of the Road to the Centre of Latouche Bridge, and so on and along the central Line of the Road leading from Latouche Bridge through Rathmines to the Byeroad adjoining Willan's Woollen Cloth Mills, and leading to the River Dodder, and along the central Line of the said Byeroad and the Left Bank of the River Dodder to the Junction of the Baronies of Uppercross and Newcastle, near Cypress Grove, and thence along the Boundary Line between the Baronies of Newcastle and Uppercross to the Third Lock, from Dublin on the Grand Canal, near Golden Bridge, thence in a direct Line to the Bridge over the River Anna Liffey and Chapelizod, and from the Point in the central Line of the River Anna Liffey opposite the central Line of Eustace Street, up and along the central Line of the said River to the extreme Limits of the District at Chapelizod; and that the said Division shall also comprise and consist of the several Places situate within the Bounds or Limits following; from the Left Bank of the River Dodder One Furlong Statute Measure from the Right of the Bridge of Donnybrook, running Two Furlongs Statute Measure to the Right of the Line of Road from Dublin to the Seashore at Killiney, by the Line of Road more particularly defined as follows; from the Bridge over the Dodder at Donnybrook, along the Line of Road leading through the Village of Stillorgan, by Gallopping Green, to Foxrock; thence by the Cross Road of Dean's Grange, to the Kill of the Grange; from the Kill of the Grange by the Rochestown Road, and the Glengarry or Sallynoggins Road, to Minor's Hill; thence by Bessville, Anglesea, and Coolmeen Road towards Killiney Castle, and by the said Road to the Gate of Mountmalpas; thence by the Southern Wall of the said Mount, or Killiney

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Hill, to the nearest Point of the Low-water Mark of the Seashore to the said Southern Wall; thence by the Low-water Mark of the said Shore, viâ Bullock, including the Harbour of Kingstown, till it joins the Boundary of the B, or College Division, at the Lighthouse at the Termination of the South Wall; and that the Boundary from the Bridge over the Dodder at Donnybrook, by the Line of Road above defined, shall be held to include the full Breadth of the said Road, and Two Furlongs Statute Measure to the Right or Exterior of the said Road, and which Furlongs shall be to all Intents and Purposes Part of the said Police District, and subject to the like Rates and Assessments as any Part of the said District is or shall be liable; and that the whole of the said Places so named and defined as aforesaid shall form One Division, to be called the A, or Castle and Kingstown Division, as aforesaid.

B. Division.—That the B, or College Division shall consist of and have the Bounds or Limits following; that is to say, from the Lighthouse at the Termination of the South Wall, and thence by the Low-water Mark to the Sea Beach opposite to the Point where the Barony of Rathdown abuts on the Road leading from Dublin to Blackrock at Old Merrion Burying Ground, along the Boundary Line between the said Barony and the Barony of Dublin, to the Bridge over the Dodder at Donnybrook; thence along the Left Bank of the said River Dodder to the Boundary of the A, or Castle and Kingstown Division, at the Byeroad near Willan's Cloth Mills; and the Boundary of the said College Division to the West shall be the same as the Boundary of the said A, or Castle and Kingstown Division, from the said River Dodder by the Byeroad aforesaid and Rathmines, as far as the Point in the central Line of the said River Anna Liffey opposite to the central Line of Eustace Street; and from the said Point the Limits of the said B, or College Division, shall be along the central Line of the said River Anna Liffey to the extreme Limits of the C. Division or District, at the Centre of the Line between the Lighthouse at the Termination of the North Wall, and the Lighthouse at the Termination of the South Wall, and from the Centre of the said Line to the said Lighthouse at the Termination of the South Wall aforesaid; and that the whole of the said Places so named and defined as aforesaid shall form One Division, to be called the B, or College Division, as aforesaid.

C. Division.—That the C, or Rotundo Division, shall consist of and have the Bounds or Limits following; that is to say, from the Centre of the Line from the Lighthouse at the Termination of the South Wall to the Lighthouse at the Termination of the North Wall, up and along the central Line of the River Anna Liffey to the Centre of

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of the Bridge at Chapelizod, and from the said Bridge along the Left Bank of the said River to the Ferry at the Bottom of Knockmaroon Hill; thence along the Line of Road over Knockmaroon Hill to the Entrance of the Phœnix Park at Knockmaroon Gate; thence by the Wall of the Phœnix Park to Ashtown Lodge, at the Back of the Under Secretary's House; thence by the most direct Road to Longford Bridge on the Royal Canal; thence by the most direct Road to the Tolka River, and by that River to Annesley Bridge; thence by the Sea Line to the Lighthouse on the North Wall, and from thence to the Point on the Centre of the Line between the said Lighthouse at the Termination of the North Wall, and the Lighthouse at the Termination of the South Wall on the Boundary of the B. Division; and that the whole of the said Places so named and defined as aforesaid shall form One Division, to be called the C, or Rotundo Division, as aforesaid.

SCHEDULE C.

TABLE of FEES RECEIVABLE at the several POLICE COURTS in the POLICE DISTRICT of DUBLIN METROPOLIS.

	s.	*d.*
For every Summons	*1*	*0*
For every Warrant (except Warrant of Distress)	*1*	*0*
For endorsing every Warrant	*1*	*0*
For every Warrant of Distress	*2*	*0*
For every Recognizance to appear	*2*	*6*
For every Recognizance to abide Trial	*2*	*6*
For every Recognizance to keep the Peace or be of good Behaviour	*2*	*6*
For every Affidavit or Declaration, if prepared by Declarant	*0*	*6*
For every Affidavit or Declaration, if prepared in Office	*1*	*0*
For every Affidavit or Declaration, if relating to lost Duplicates	*0*	*6*
For every Affidavit or Declaration, if connected with Matters relating to Public Offices, or Public Departments, or Charitable Purposes	*0*	*6*
For every Office Seal affixed to any Power of Attorney or other Official Document	*10*	*6*

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Dublin Metropolitan Police.

(Ireland.)

A

BILL

To amend and consolidate the Acts relating to the Dublin Metropolitan Police Force.

(*Prepared and brought in by Mr. Horsman, Sir George Grey, and Mr. Attorney-General for Ireland.*)

Ordered, by The House of Commons, *to be Printed*, 21 *April* 1856.

[Bill 107.]

Under 11 *oz.*

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